

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

Midas Green Technologies, LLC,

Plaintiff,

- vs. -

**Rhodium Enterprises, Inc.;
Rhodium Technologies LLC;
Rhodium 10mw LLC;
Rhodium 2.0 LLC;
Rhodium 30mw LLC;
Rhodium Encore LLC;
Rhodium Industries LLC;
Rhodium JV LLC;
Rhodium Renewables LLC;
Rhodium Shared Services LLC;
Rhodium Shared Services PR Inc.;
Chase Blackmon;
Cameron Blackmon; and
Nathan Nichols,**

Defendants.

Civil Action No. 6:22-cv-00050-ADA

Jury Trial Demanded

PRELIMINARY INFRINGEMENT CONTENTIONS

Pursuant to the Court's Standing Order Governing Proceedings (OGP) 4.0—Patent Cases, General Deadlines, paragraph 2, Plaintiff hereby serves these preliminary infringement contentions and related items.

1. Preliminary infringement contentions charts setting forth where in the accused product(s) each element of the asserted claim(s) are found: Please see attached Exhibit A ('457 Patent) and Exhibit B ('446 Patent).

2. Identify the priority date (i.e. the earliest date of invention) for each asserted claim: As presently understood, the priority date (earliest date of invention) for all asserted claims is at

least as early as March 14, 2012, and all asserted claims are entitled to a priority date (effective filing date) of December 14, 2012.

3. Production of documents evidencing conception and reduction to practice for each claimed invention: Please see MIDAS 0000001-77 and MIDAS 00000929-1020, which are being produced separately.

4. Production of a copy of the file history for each patent in suit. Please see MIDAS 0000001-928, which are being produced separately.

Dated: April 11, 2022

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that counsel of record who have appeared electronically in this case are being served on April 11, 2022 with a copy of this document via email.

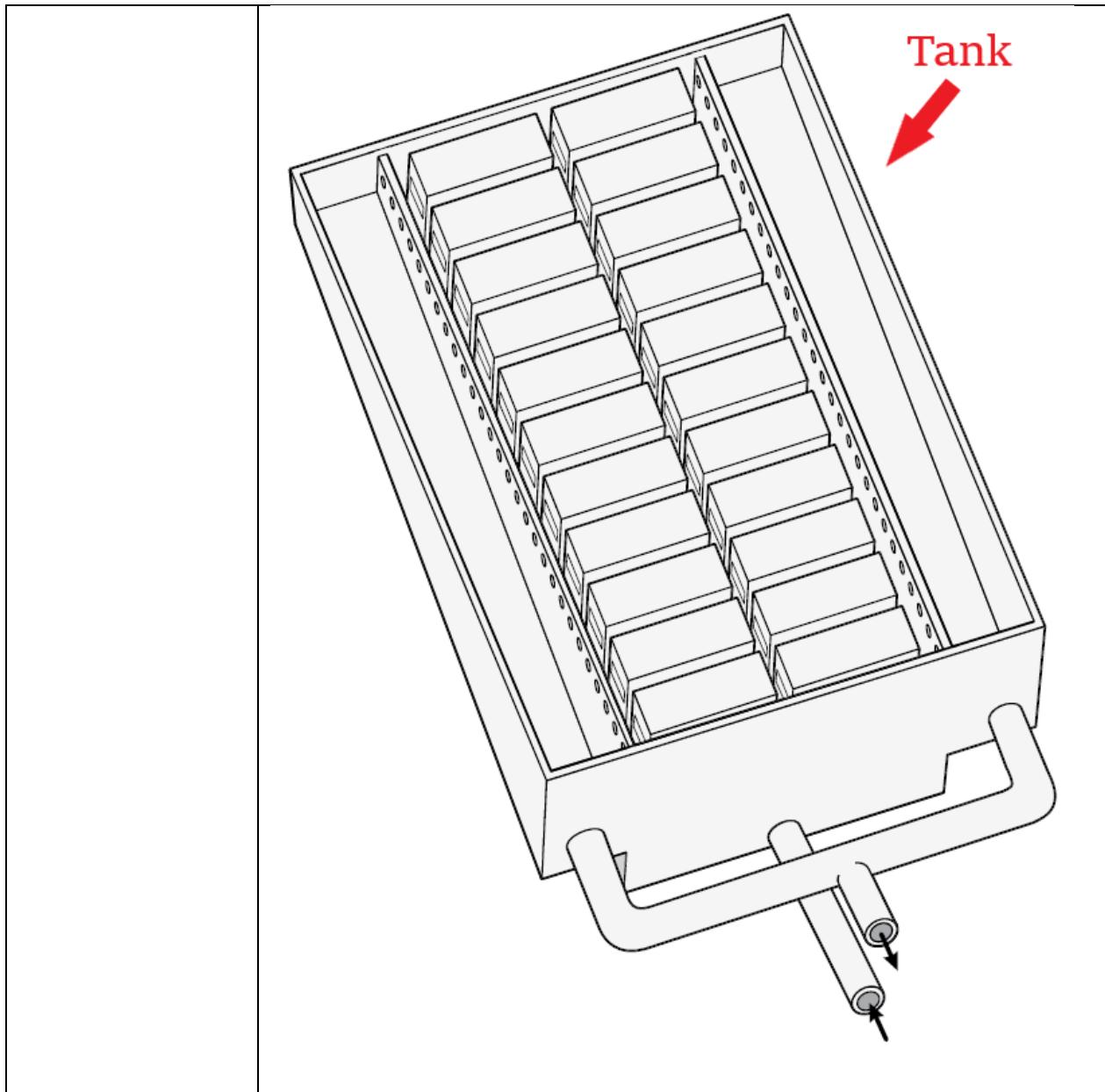
/s/ Henry Pogorzelski
Henry Pogorzelski

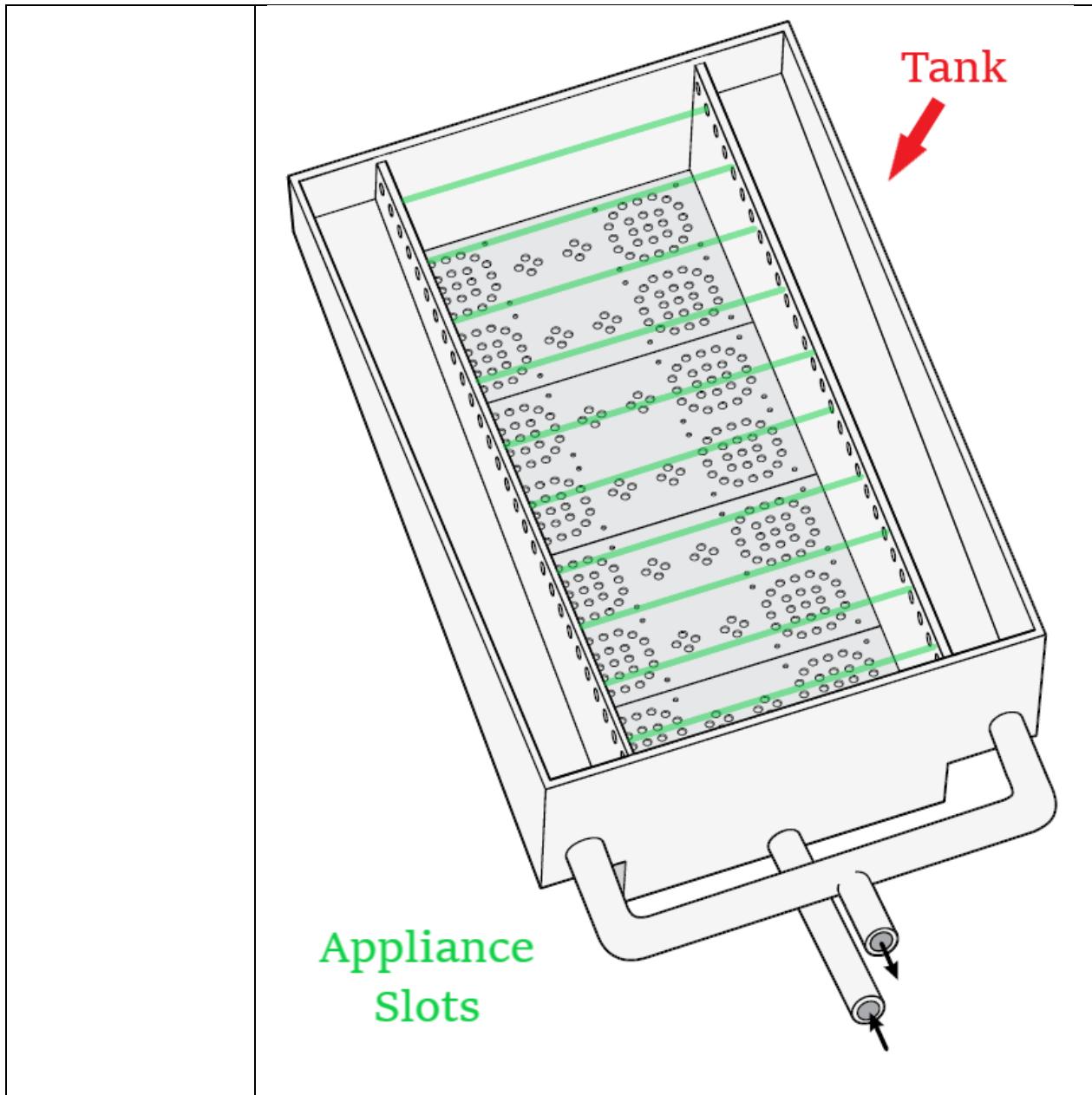
Exhibit A

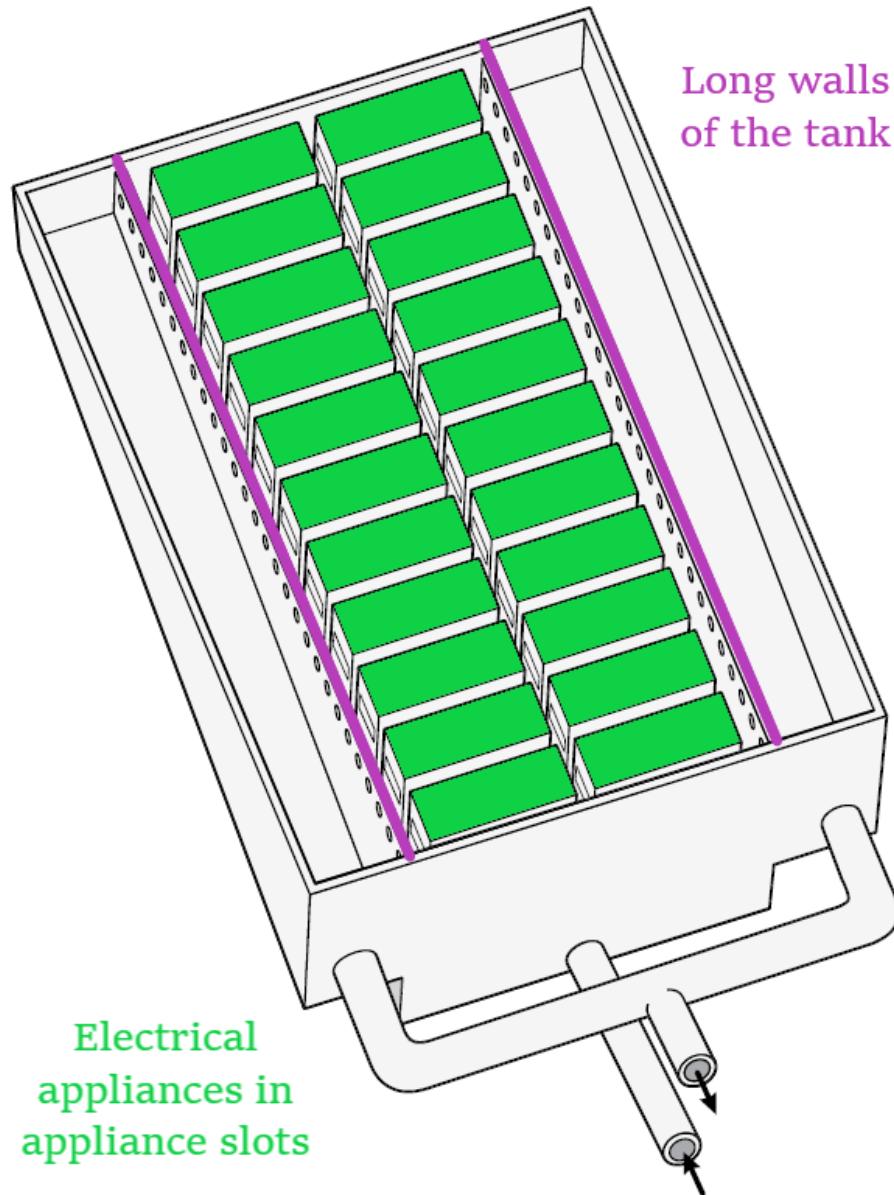
Preliminary Infringement Contentions: '457 Patent Claim Chart

Claim Element(s)	Where Found in Accused Instrumentalities
1. An appliance immersion cooling system comprising:	<p>To the extent that the preamble may be limiting:</p> <p>Defendants Rhodium Technologies LLC and Rhodium Enterprises, Inc. and their subsidiaries (together “Rhodium”), as well as the Individual Defendants, make, own, develop, acquire, operate and use appliance immersion cooling systems by way of liquid cooling systems for mining cryptocurrency (the Accused Instrumentalities). <i>See Amendment No. 6 to Form S-1 at 1, Rhodium Enterprises, Inc.</i> (filed Jan. 18, 2022), available at https://www.sec.gov/Archives/edgar/data/0001874985/000121390022002442/fs12022a6_rho-dium.htm (“Our fully integrated infrastructure platform includes our flagship liquid-cooling system . . .”).</p> <p>Rhodium is “an industrial-scale digital asset technology company” that mines bitcoin with a “fully integrated infrastructure platform” that includes “directly owning and operating [its] own customized mining sites.” <i>Amendment No. 4 to Form S-1 at 1, Rhodium Enterprises, Inc.</i> (filed Dec. 14, 2021), available at https://sec.report/Document/0001213900-21-065116/fs12021a4_rho-dium.htm. “The cornerstone of [Rhodium’s] infrastructure platform is [its] liquid-cooling technology” which is “uniquely designed” to “maintain low operating costs and manage energy consumption.” <i>Id.</i> Rhodium “design[s], build[s], operat[es], and maintain[s]” tank modules adapted for use in a liquid appliance cooling system. <i>Id.</i> (“Our technology allows us to submerge our bitcoin miners in the fluid”); <i>see also id.</i> at 58 (“We own specialized computers (‘miners’”); “Miners are comprised of sensitive electrical equipment”).</p>   <p>Exemplary Accused Instrumentalities</p>

a. a tank adapted to immerse in a dielectric fluid a plurality of electrical appliances, each in a respective appliance slot distributed vertically along, and extending transverse to, a long wall of the tank, the tank comprising:	The Accused Instrumentalities include a tank, an example of which is depicted in the below drawing that on information and belief approximates portions of the Accused Instrumentalities. The tank is adapted to immerse in a dielectric fluid a plurality of electrical appliances each in a respective appliance slot distributed vertically long, and extending transverse to, a long wall of the tank. <i>See also</i> Amendment No. 6 to Form S-1 at 1, Rhodium Enterprises, Inc. (filed Jan. 18, 2022), available at https://www.sec.gov/Archives/edgar/data/0001874985/000121390022002442/fs12022a6_rho-dium.htm (“Our technology allows us to submerge our bitcoin miners in cooling fluid . . .”); <i>id.</i> at 88 (“Liquid-cooling technology, on the other hand, reduces these issues by submerging miners in a dielectric, oil-based fluid that creates an environment more conducive to efficient heat extraction and transfer.”); <i>see also</i> “Learn More About Rhodium,” Rhodium Enterprises (last accessed Apr. 6, 2022), available at rhdm.com/#section1 (“Our platform includes our flagship liquid-cooling system and efficiency optimization software.”).







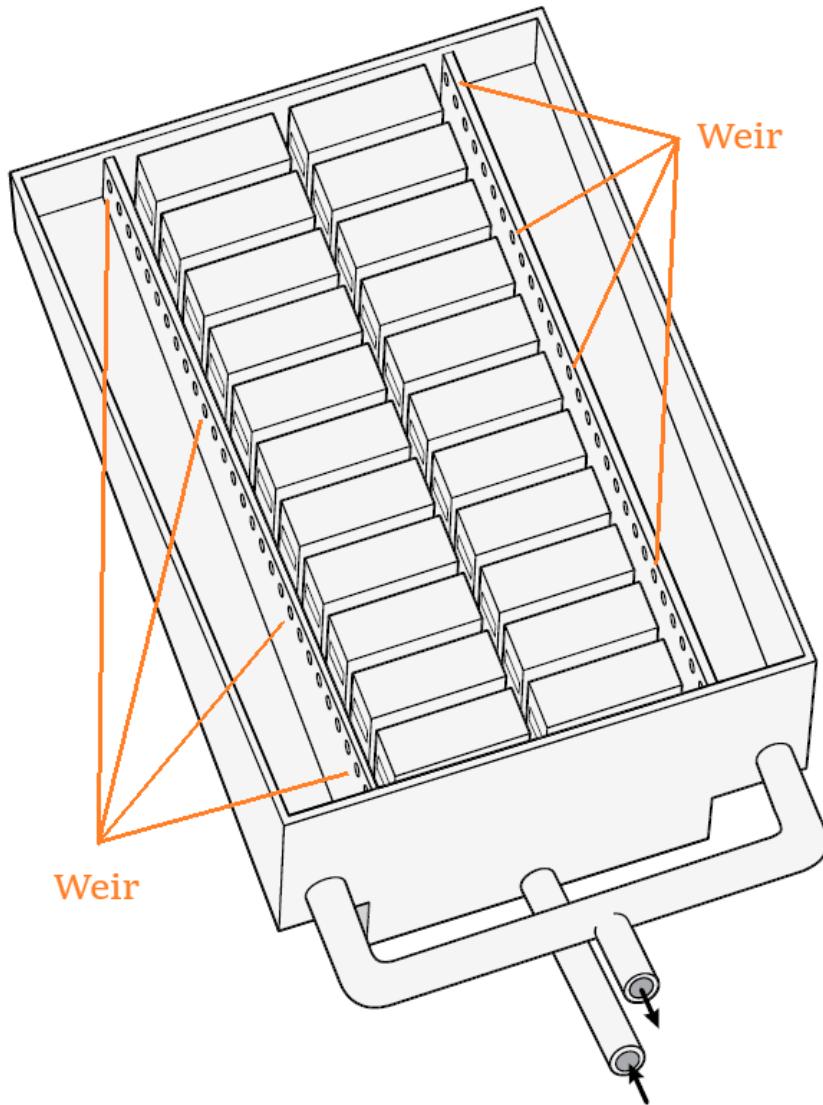
Pictures from Rhodium's website depict the appliance slots (with electrical appliances, *i.e.*, bitcoin miners, installed) distributed vertically along, and extending transverse to, a long wall of the tank. The electrical appliances in the pictures are immersed in a dielectric fluid. See rdhm.com.

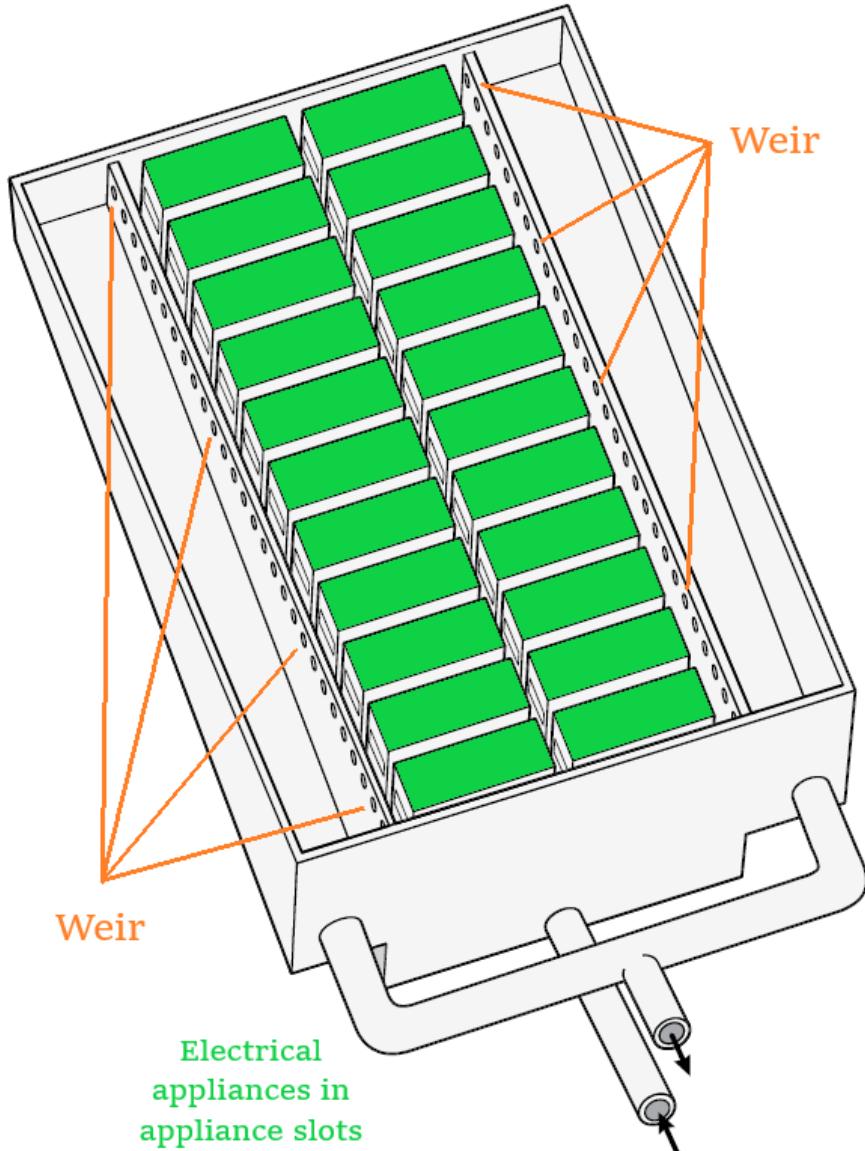
	 
i. a weir, integrated horizontally into the long wall of the tank adjacent all appliance slots, having an overflow lip adapted to facilitate substantially uniform recovery of the dielectric fluid flowing	The tank of the Accused Instrumentalities include a weir that is integrated horizontally into the long wall of the tank adjacent all appliance slots, e.g. a horizontal line of weir holes just below the top long edge of the tank, having an overflow lip adapted to facilitate substantially uniform recovery of the dielectric fluid flowing through each appliance slot, e.g., in operation the level of the fluid in the tank of the Accused Instrumentalities is level with the weir holes, facilitating a substantially uniform flow of the dielectric fluid over the overflow lip of the weir holes, the weir holes being distributed equidistantly along the length of the long wall of the tank of the Accused Instrumentalities, thus facilitating substantially uniform recovery of the dielectric fluid flowing through each appliance

through each appliance slot;

slot in the tank. On information and belief, the weir of the tank is approximately depicted in the below drawing.

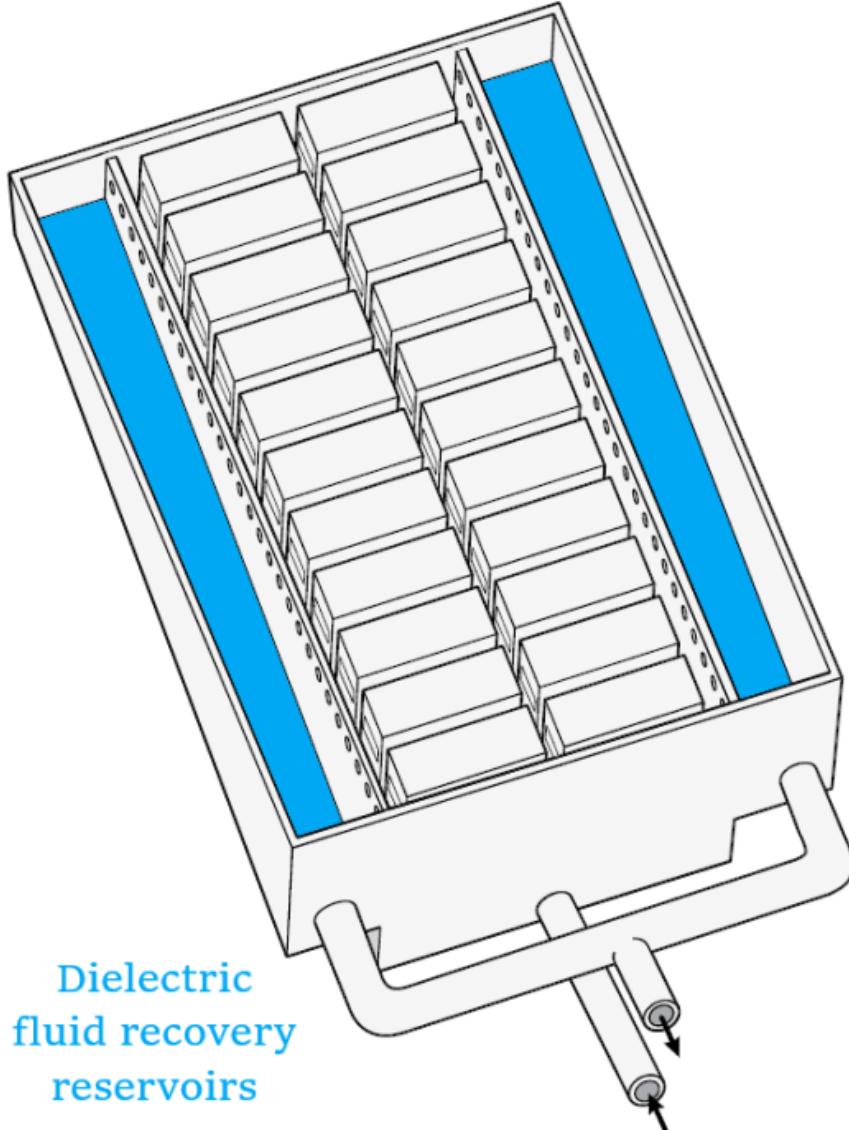
In the alternative, this element of limitation is present under the doctrine of equivalents, in that a plurality of overflow lip segments formed by the lower edges of the plurality of weir holes is an equivalent of a weir having an overflow lip.





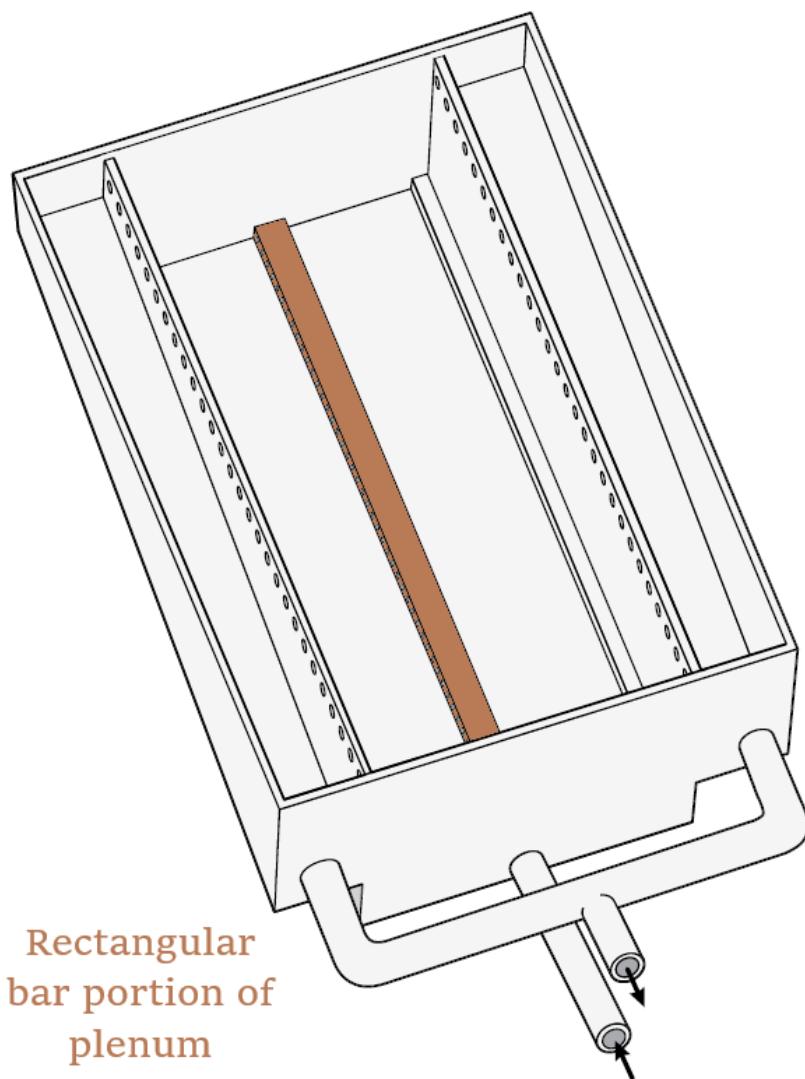
On information and belief, the weir of the Accused Instrumentalities is materially identical and substantially the same design as that depicted in a YouTube video for Immersion Systems, a company founded by individual defendants Chase Blackmon, Cameron Blackmon, and Nathan Nichols. See <https://www.youtube.com/watch?v=kQ6cycss5ds> at 1:40.

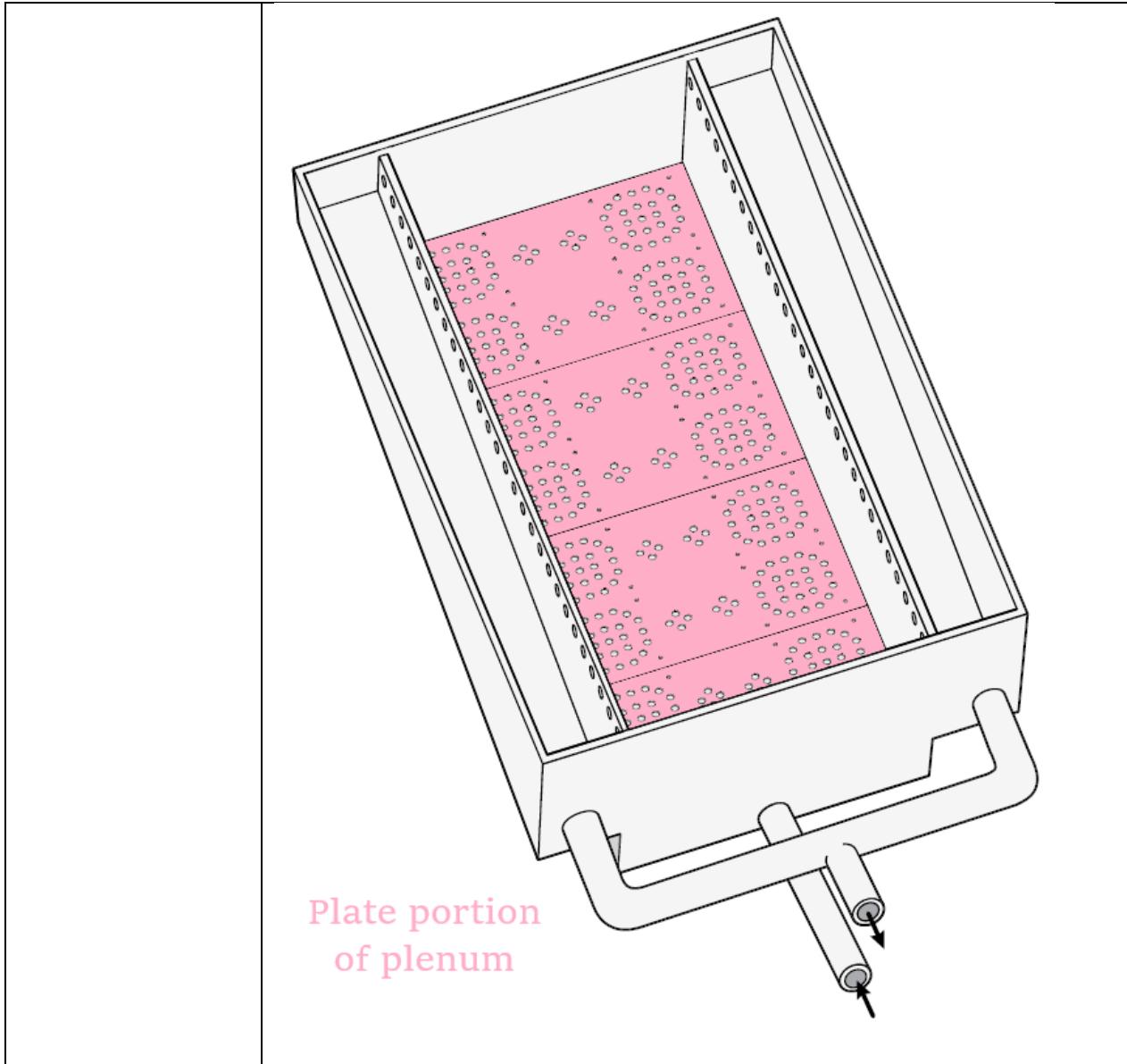
	
ii. a dielectric fluid recovery reservoir positioned vertically beneath the overflow lip of the weir and adapted to receive the dielectric fluid as it flows over the weir;	The tank of the Accused Instrumentalities include a dielectric fluid recovery reservoir positioned vertically beneath the overflow lip of the weir and adapted to receive the dielectric fluid as it flows over the weir. On information and belief, the below drawing approximately depicts the dielectric fluid recovery reservoir, with the bottom of the reservoir in blue

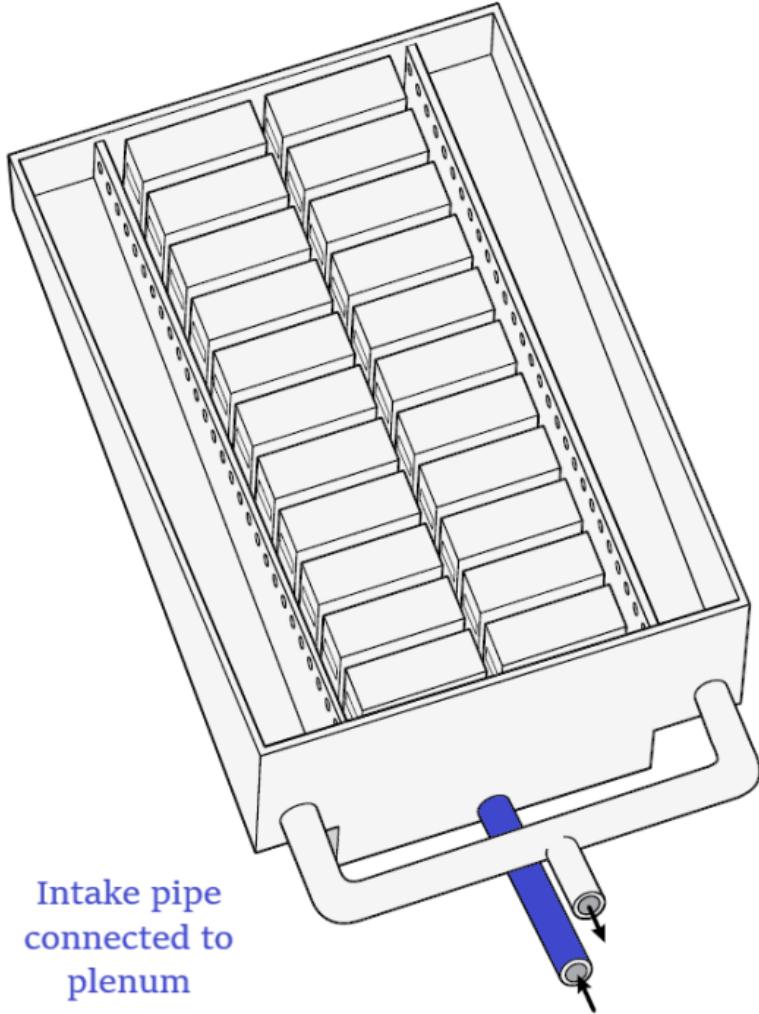
	 <p>Dielectric fluid recovery reservoirs</p>
	<p>Rhodium's website (at https://rhdm.com/#section2) also contains pictures an array of accused tanks of the Accused Instrumentalities, stacked three high.</p>
b. a primary circulation facility adapted to circulate the dielectric fluid through the tank, comprising:	The Accused Instrumentalities include a primary circulation facility adapted to circulate the dielectric fluid through the tank, which includes a plenum, as described below.
i. a plenum, positioned adjacent the bottom of the	The primary circulation facility of the Accused Instrumentalities includes a plenum, positioned adjacent the bottom of the tank,

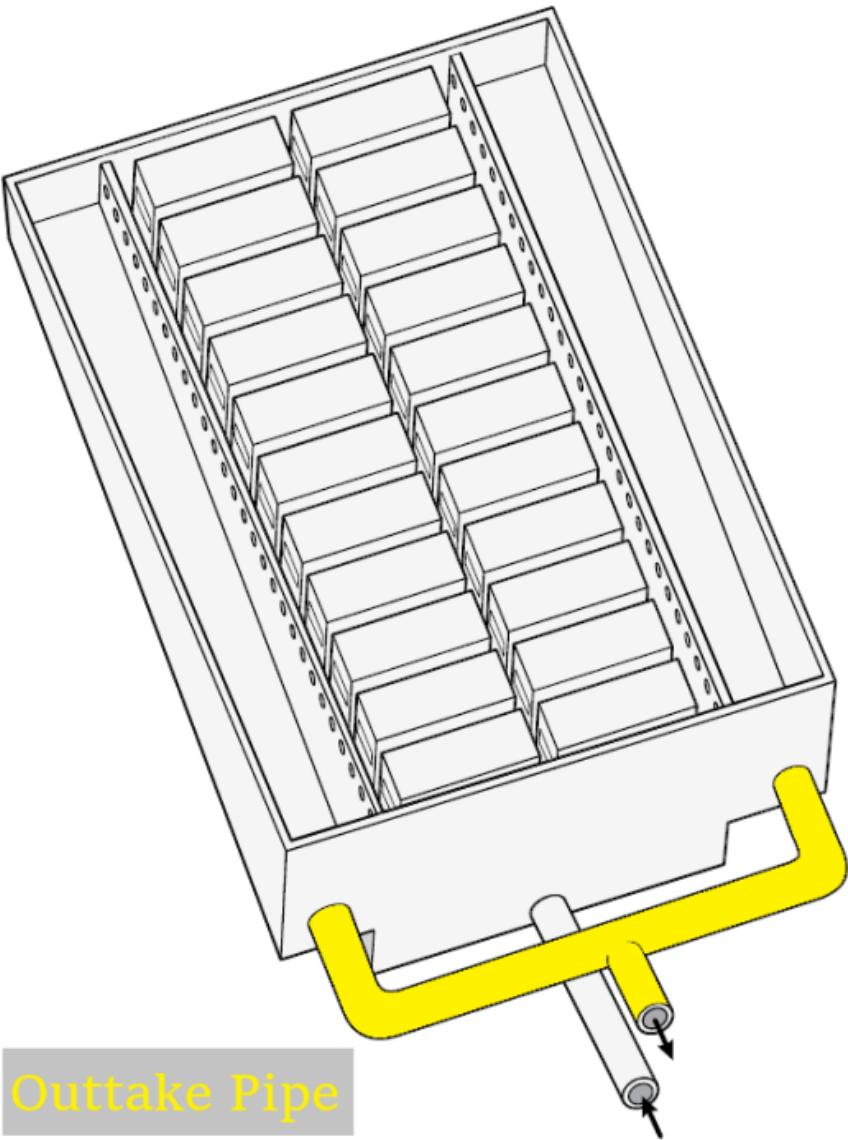
tank, adapted to dispense the dielectric fluid substantially uniformly upwardly through each appliance slot;

adapted to dispense the dielectric fluid substantially uniformly upwardly through each appliance slot. As approximately depicted in the below drawings, on information and belief, the plenum includes two portions: a rectangular bar portion and a plate portion. The rectangular bar portion is underneath the plate portion. Dielectric fluid first flows through the rectangular bar portion then upwards through the plate portion. The two portions of the plenum are designed to dispense the dielectric fluid substantially uniformly upwardly through each appliance slot, which are above the plate portion of the plenum.





	
c. a secondary fluid circulation facility adapted to extract heat from the dielectric fluid circulating in the primary circulation facility, and to dissipate to the environment the heat so extracted; and	<p>The Accused Instrumentalities include a secondary fluid circulation facility adapted to extract heat from the dielectric fluid circulating in the primary circulation facility, and to dissipate to the environment the heat so extracted. On information and belief, the secondary fluid circulation facility is a dry cooler or similar cooling device, adapted to extract heat from the dielectric fluid and dissipate the extracted heat to the environment. See, e.g., Amendment No. 6 to Form S-1 at 111, Rhodium Enterprises, Inc. (filed Jan. 18, 2022), available at https://www.sec.gov/Archives/edgar/data/0001874985/000121390022002442/fs12022a6_rho-dium.htm (“During the nine months ended September 30, 2021, Energy Tech LLC purchased on behalf of the Company approximately \$0.1 million of dry coolers and related engineering services . . .”); <i>id.</i> at F-46 (“The Company purchased certain dry coolers from a related party at a cost of \$409. These dry coolers are included in property and equipment in the accompanying consolidated and combined balance sheet.”). The hot dielectric fluid, after flowing</p>

	<p>through the appliances slots, over the weir, and down into the fluid recovery reservoir, then flows out the outtake pipe connected to the fluid recovery reservoir and flows to the secondary fluid circulation facility for heat extraction. After extraction of heat in the secondary fluid circulation facility, the re-cooled dielectric fluid is then cycled back to a primary circulation facility to repeat the process.</p>  <p>Outtake Pipe</p>
d. a control facility adapted to coordinate the operation of the primary and secondary fluid circulation facilities as a function of the	<p>The Accused Instrumentalities include a control facility adapted to coordinate the operation of the primary and secondary fluid circulation facilities as a function of the temperature of the dielectric fluid in the tank.</p> <p>Specifically, the control facility includes an automated controller with software that monitors and controls the pumps, dry coolers, and temperature of the dielectric fluid in the tanks through the use</p>

temperature of the dielectric fluid in the tank.	<p>of sensors. <i>See, e.g.,</i> Amendment No. 6 to Form S-1 at 88, Rhodium Enterprises, Inc. (filed Jan. 18, 2022), <i>available at</i> https://www.sec.gov/Archives/edgar/data/0001874985/000121390022002442/fs12022a6_rho-dium.htm (“We have specifically designed mobile and web applications to meet the demands of an industrial-scale liquid-cooled mining operation. Through a series of microsensors, machine-learning and application programming interfaces, our proprietary mining software provides real-time data that enable increased miner up-time, hash rate and scalability. In tandem to developing our own software, we employ sensors not only telling us the temperature of each miner in real-time through visual heat maps, but we have also installed microsensors throughout our liquid-cooling plumbing system that measure flow rate, temperature and pressure. Using machine learning technology and the data points collected by these sensors, robotic process automation (RPA) triggers a tuning response to the power intake as needed to either remediate or optimize miner performance.”); <i>see also</i> “Learn More About Rhodium,” Rhodium Enterprises (last accessed Apr. 6, 2022), <i>available at</i> rhdm.com/#section1 (“Our platform includes our flagship liquid-cooling system and efficiency optimization software. . . . Our proprietary software was designed to optimize performance of our miners and infrastructure in real-time allowing us to make quicker, data-informed decisions, securely put miners online, and more effectively manage temperature, energy, and people.”).</p>
2. The system of claim 1 wherein the tank and primary circulation facility comprise a highly-integrated module.	The tank and primary circulation facility of the Accused Instrumentalities of claim 1 comprise a highly-integrated module. Specifically, the tank and primary circulation facility of the Accused Instrumentalities are adjacent and tightly co-located.
5. The system of claim 1 wherein the control facility further comprises a communication facility adapted to facilitate monitoring and control of the control facility from a remote location.	The Accused Instrumentalities of claim 1 include a control facility that includes a communication facility adapted to facilitate monitoring and control of the control facility from a remote location. Specifically, the communication facility includes mobile and web applications, and related software and/or hardware, that facilitate monitoring and controlling microsensors. <i>See, e.g.,</i> Amendment No. 6 to Form S-1 at 88, Rhodium Enterprises, Inc. (filed Jan. 18, 2022), <i>available at</i> https://www.sec.gov/Archives/edgar/data/0001874985/000121390022002442/fs12022a6_rho-dium.htm (“We have specifically designed mobile and web applications to meet the demands of an industrial-scale liquid-cooled mining operation. Through a series of microsensors, machine-learning and application programming interfaces, our proprietary mining

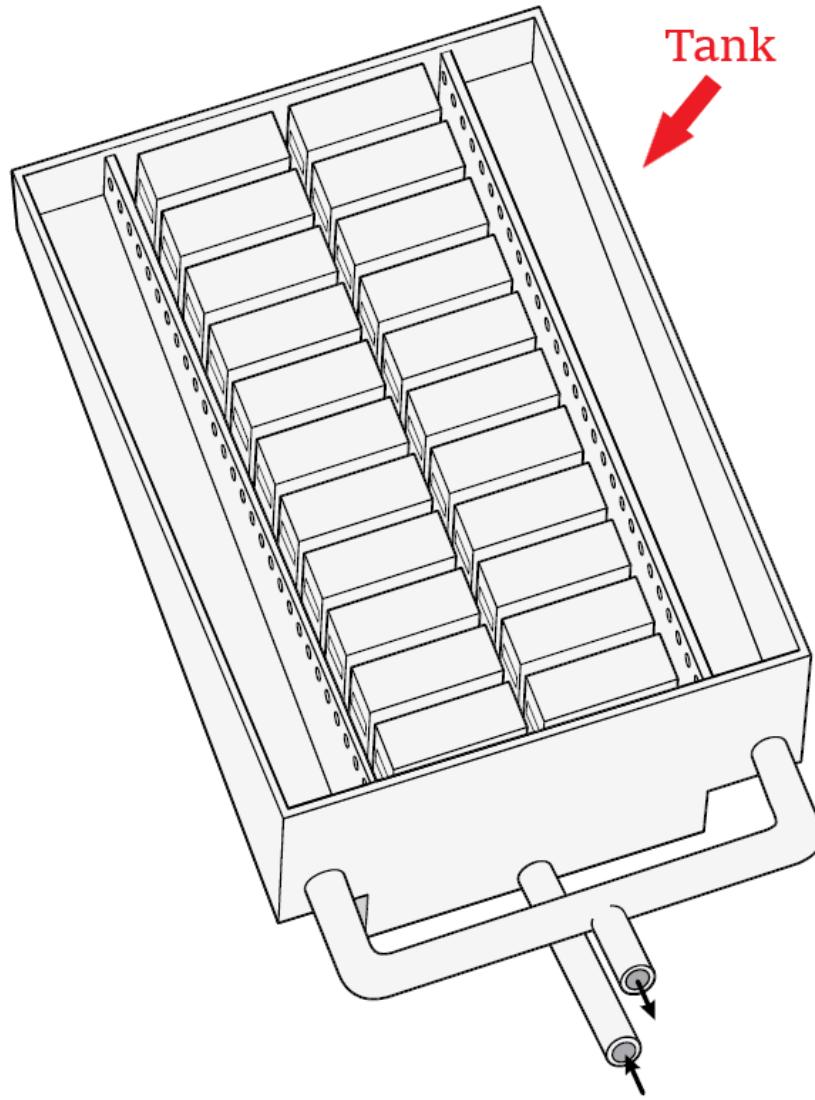
	<p>software provides real-time data that enable increased miner up-time, hash rate and scalability. In tandem to developing our own software, we employ sensors not only telling us the temperature of each miner in real-time through visual heat maps, but we have also installed microsensors throughout our liquid-cooling plumbing system that measure flow rate, temperature and pressure. Using machine learning technology and the data points collected by these sensors, robotic process automation (RPA) triggers a tuning response to the power intake as needed to either remediate or optimize miner performance.”); see also “Learn More About Rhodium,” Rhodium Enterprises (last accessed Apr. 6, 2022), available at rhdm.com/#section1 (“Our platform includes our flagship liquid-cooling system and efficiency optimization software. . . . Our proprietary software was designed to optimize performance of our miners and infrastructure in real-time allowing us to make quicker, data-informed decisions, securely put miners online, and more effectively manage temperature, energy, and people.”). On information and belief, the mobile and web applications can be accessed from a remote location.</p>
6. A tank module adapted for use in an appliance cooling system, the tank module comprising:	<p>To the extent that the preamble may be limiting:</p> <p>Defendants Rhodium Technologies LLC and Rhodium Enterprises, Inc. and their subsidiaries (together “Rhodium”), as well as the Individual Defendants, make, own, develop, acquire, operate and use tank modules adapted for use in appliance cooling systems by way of liquid cooling systems for mining cryptocurrency (the Accused Instrumentalities). See Amendment No. 6 to Form S-1 at 1, Rhodium Enterprises, Inc. (filed Jan. 18, 2022), available at https://www.sec.gov/Archives/edgar/data/0001874985/000121390022002442/fs12022a6_rho-dium.htm (“Our fully integrated infrastructure platform includes our flagship liquid-cooling system . . . ”).</p> <p>Rhodium is “an industrial-scale digital asset technology company” that mines bitcoin with a “fully integrated infrastructure platform” that includes “directly owning and operating [its] own customized mining sites.” Amendment No. 4 to Form S-1 at 1, Rhodium Enterprises, Inc. (filed Dec. 14, 2021), available at https://sec.report/Document/0001213900-21-065116/fs12021a4_rho-dium.htm. “The cornerstone of [Rhodium’s] infrastructure platform is [its] liquid-cooling technology” which is “uniquely designed” to “maintain low operating costs and manage energy consumption.” <i>Id.</i> Rhodium “design[s], build[s], operat[es], and maintain[s]” tank modules adapted for use in a liquid appliance cooling system. <i>Id.</i> (“Our technology allows us to submerge our bitcoin miners in the fluid”); see also <i>id.</i> at 58 (“We own specialized computers (‘miners’”); “Miners are comprised of sensitive electrical equipment”).</p>

	<p>On information and belief, the below drawing approximately depicts the tank module of the Accused Instrumentalities, which is adapted for use in an appliance cooling system (the tank module also includes the control facility, which is not depicted below):</p>
a. a tank adapted to immerse in a dielectric fluid a plurality of electrical appliances, each in a respective appliance slot distributed vertically along, and	<p>The Accused Instrumentalities include a tank adapted to immerse in a dielectric fluid a plurality of electrical appliances, each in a respective appliance slot distributed vertically along, and extending transverse to, a long wall of the tank.</p> <p>Specifically, the tank holds dielectric fluid in which Rhodium's mining computers, i.e. electrical appliances, are submerged. See SEC Form 1 at 78 ("Liquid-cooling technology, on the other hand, reduces these issues by submerging miners in a dielectric, oil-based fluid that creates an environment more conducive to efficient heat</p>

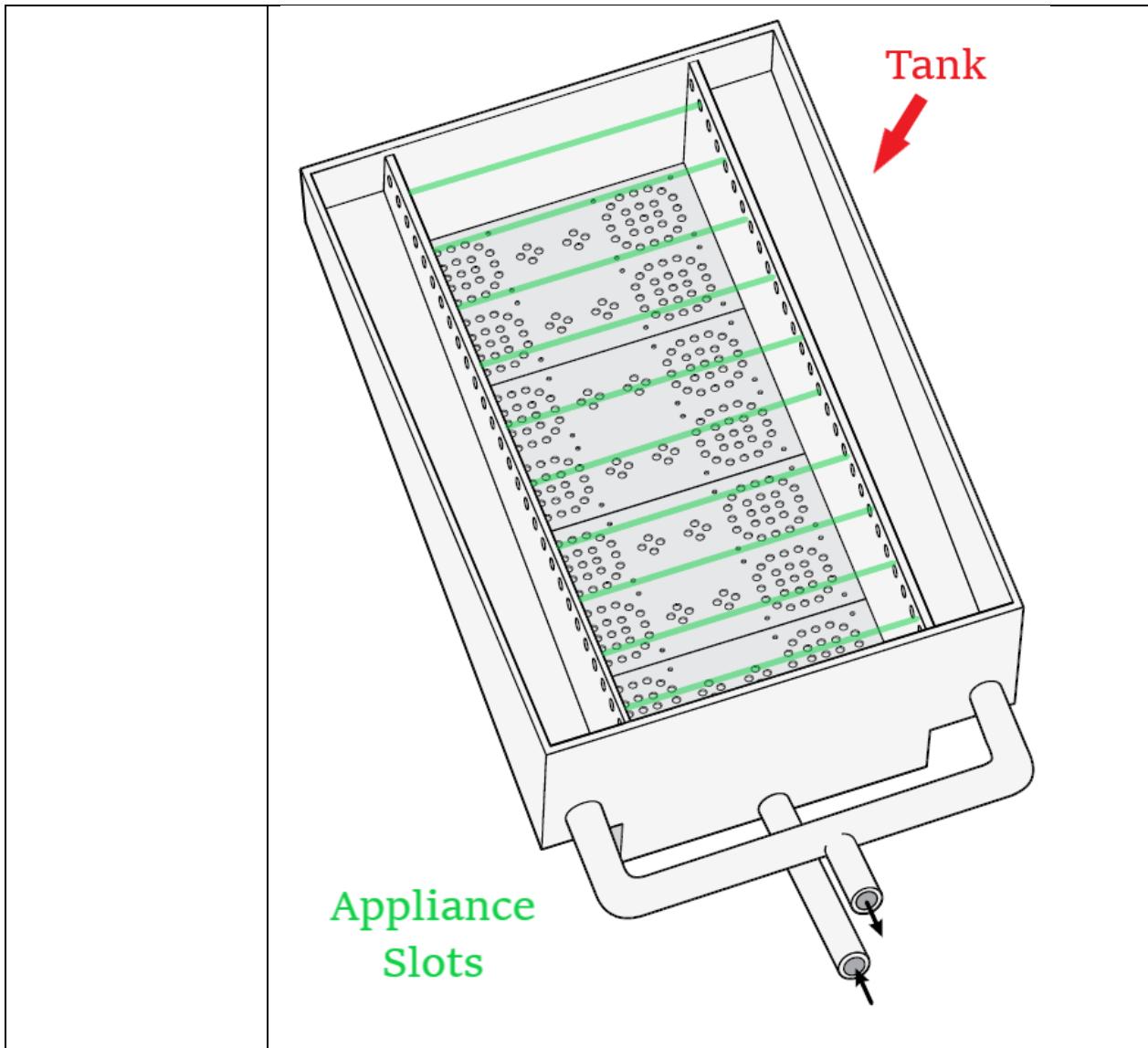
extending transverse to, a long wall of the tank, the tank comprising:

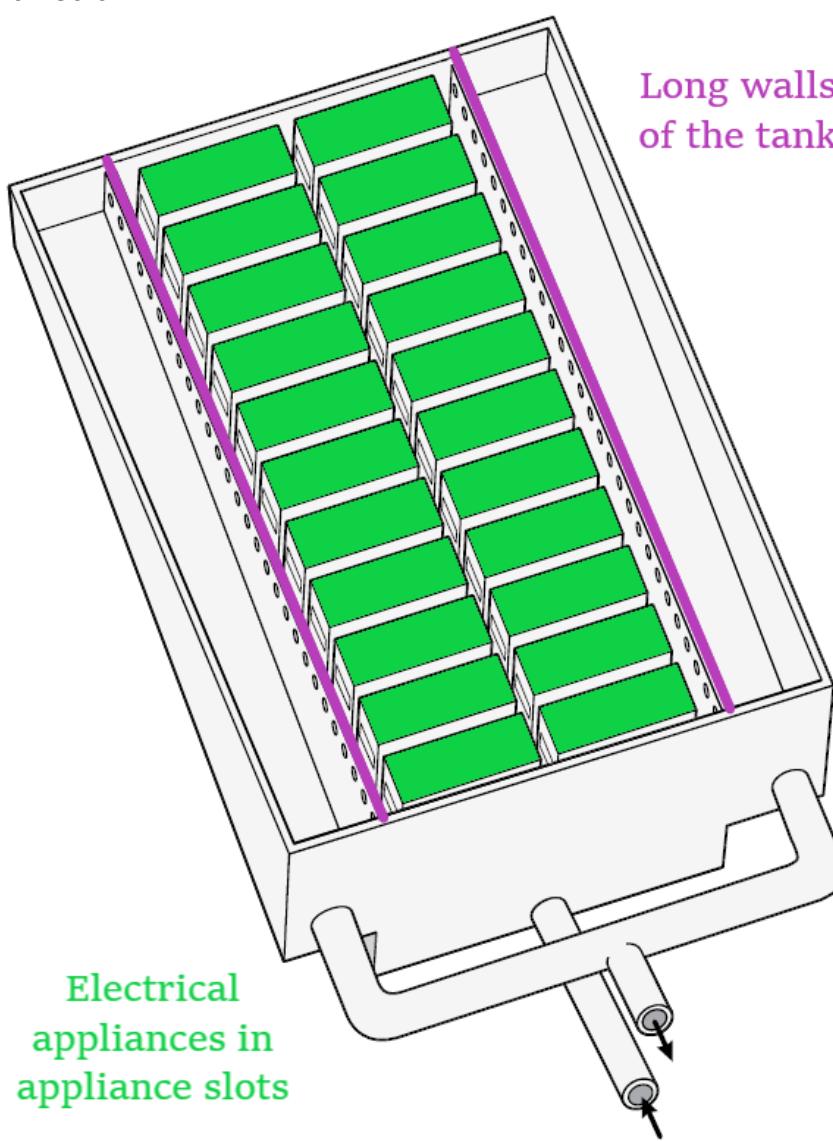
extraction and transfer."); *id.* at 1 ("Our technology allows us to submerge our bitcoin miners in the fluid").

On information and belief, the below drawing approximately depicts Defendants' tank (with electrical appliances installed) :



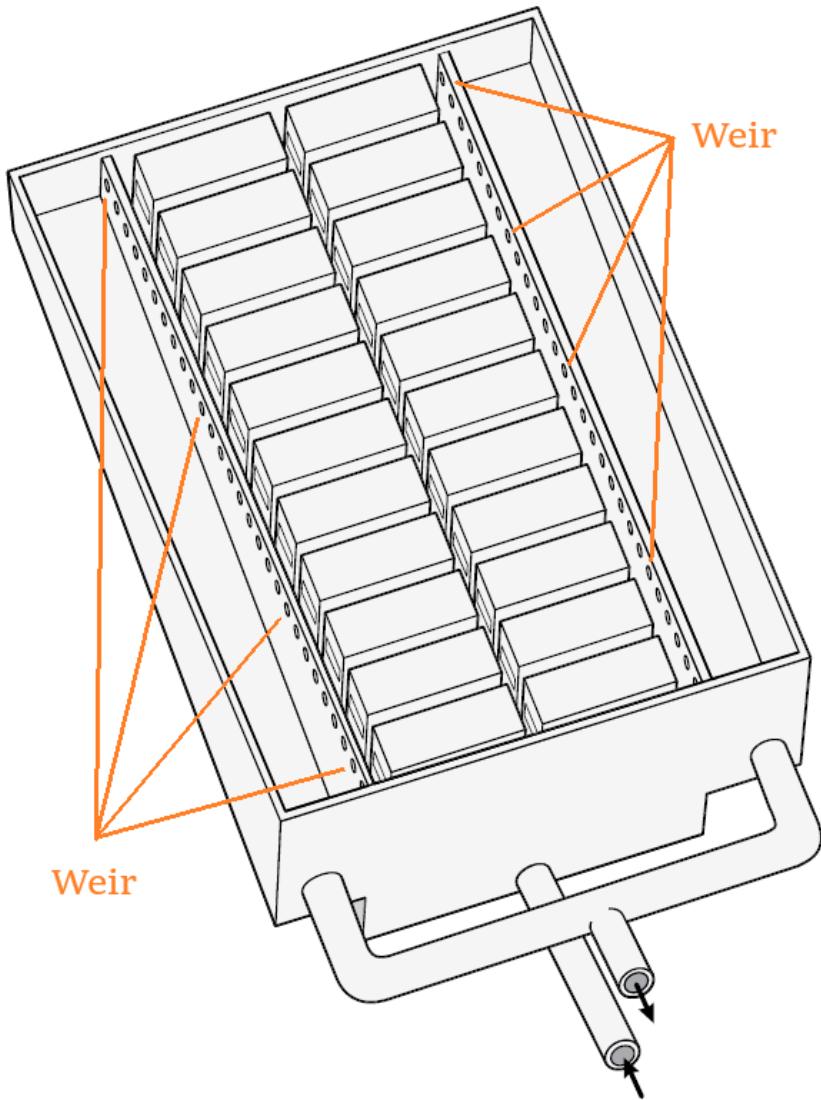
On information and belief, the below drawing approximately depicts the tank without the installed electrical appliances:

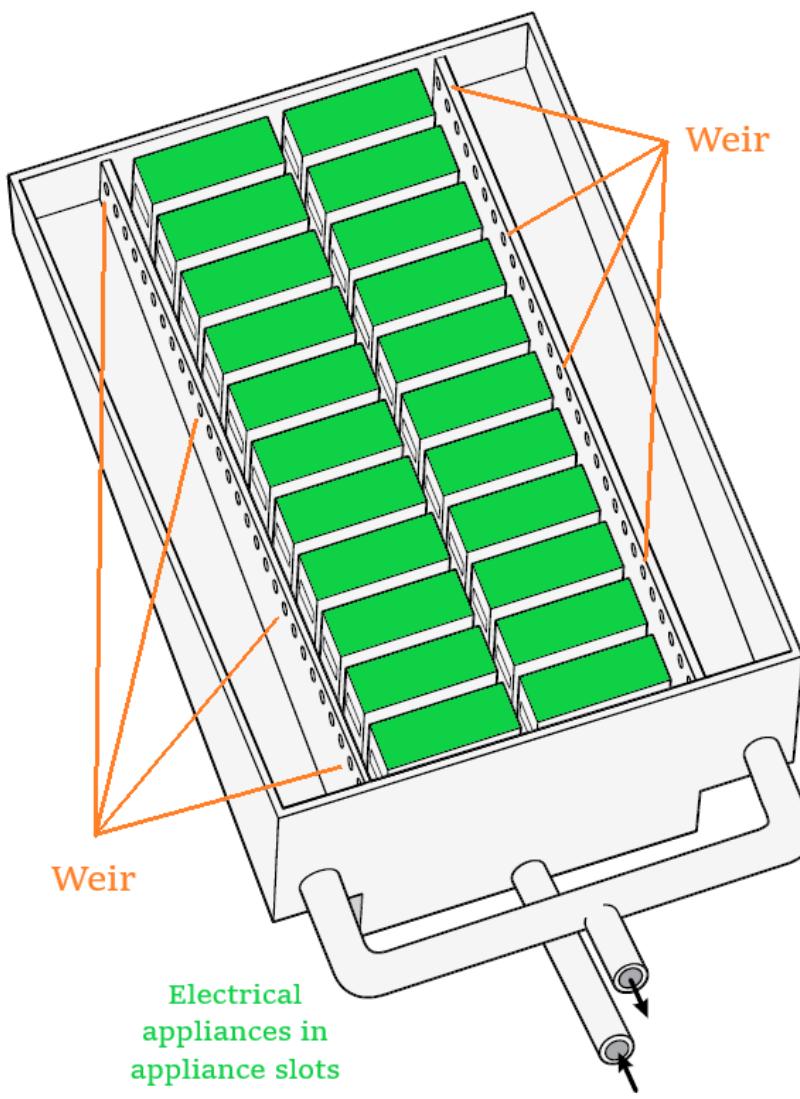


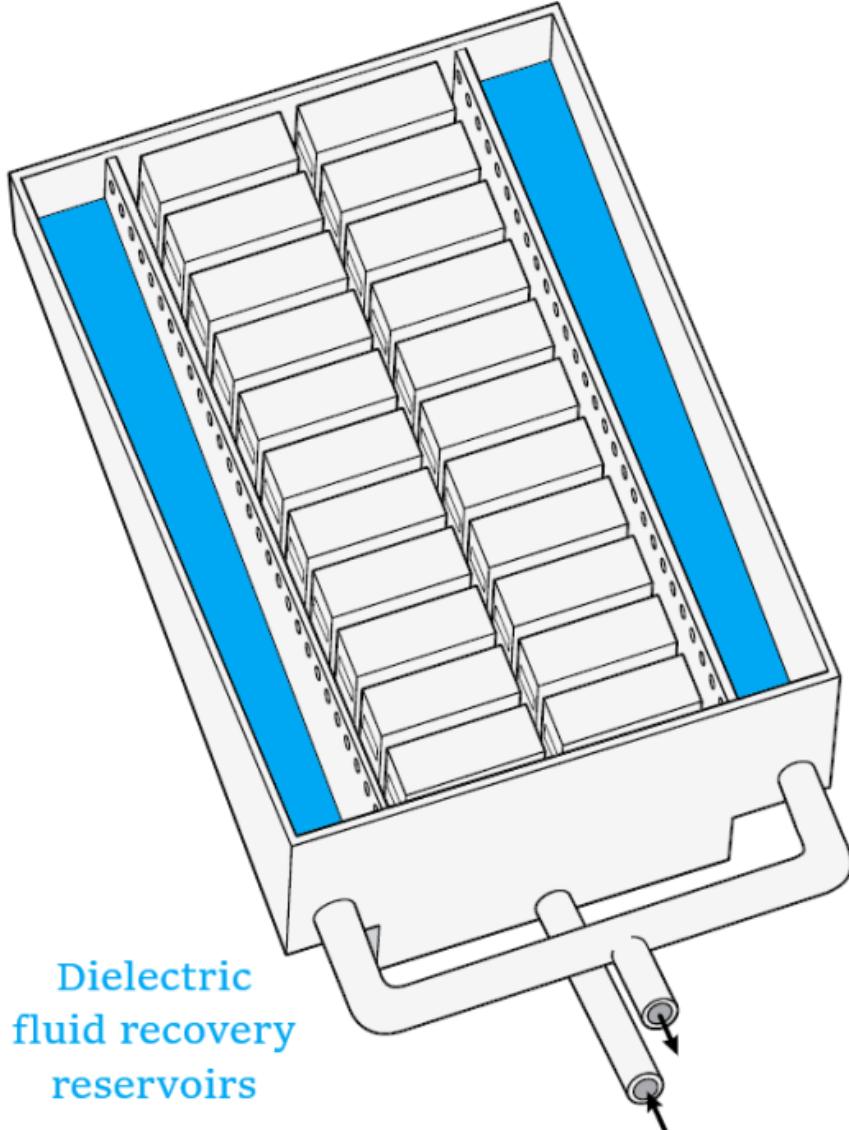
	<p>On information and belief, in use, the tank is filled with dielectric fluid, and a plurality of electrical appliances (i.e. bitcoin mining computers, the tops of which are depicted in green) are placed in respective appliance slots distributed vertically along, and extending transverse to, a long wall of the tank, as shown in approximation below:</p>  <p>Long walls of the tank</p> <p>Electrical appliances in appliance slots</p>
i. A weir, integrated horizontally adjacent all appliance slots, having an overflow lip adapted	The tank of the Accused Instrumentalities includes a weir, integrated horizontally adjacent all appliance slots, having an overflow lip adapted to facilitate substantially uniform recovery of the dielectric fluid flowing through each appliance slot. Specifically, the tank includes circular holes that comprise a weir. There are weirs on both sides of the tank.

to facilitate substantially uniform recovery of the dielectric fluid flowing through each appliance slot; and;

On information and belief, the below drawing approximately depicts the two weirs of the Accused Instrumentalities:



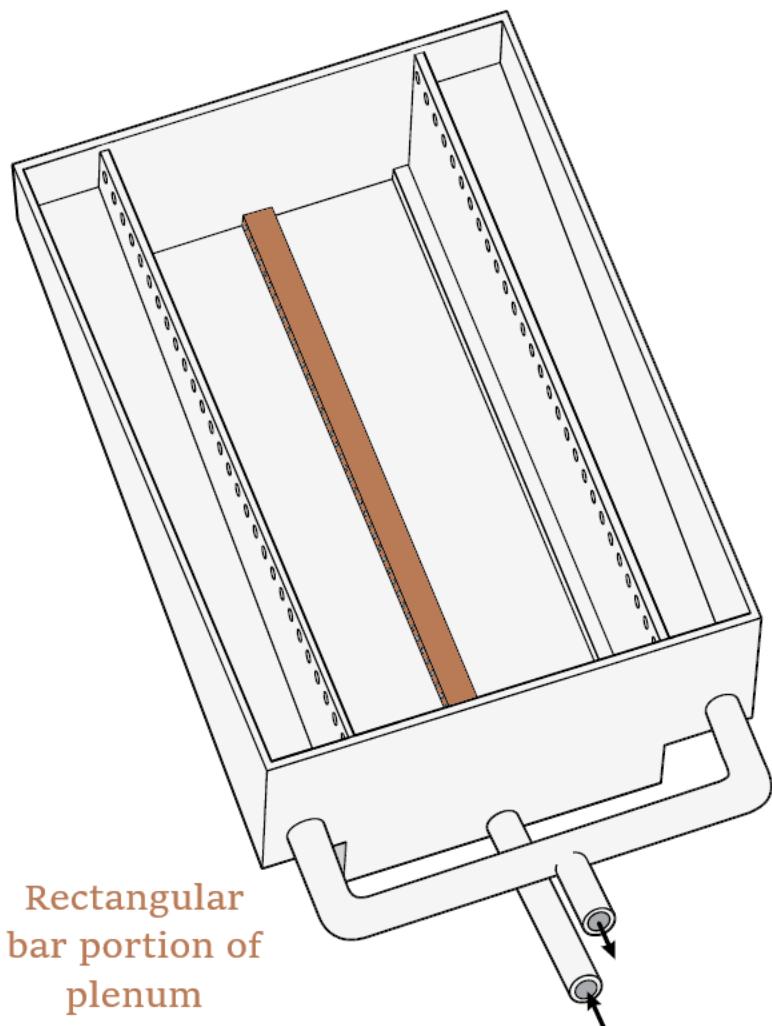
	<p>The weir is integrated horizontally adjacent to the appliance slots and the weir is adapted to facilitate substantially uniform recovery of the dielectric fluid flowing through each appliance slot.</p>  <p style="color: green; text-align: center;">Electrical appliances in appliance slots</p>
ii. A dielectric fluid recovery reservoir positioned vertically beneath the overflow lip of the weir and adapted to receive the dielectric fluid as it flows over the weir;	<p>The tank of the Accused Instrumentalities includes a dielectric fluid recovery reservoir positioned vertically beneath the overflow lip of the weir and adapted to receive the fluid as it flows over the weir.</p> <p>Specifically, the Accused Instrumentality includes two dielectric fluid recovery reservoirs on either side of the tank that are positioned beneath the weirs and are adapted to receive the dielectric fluid as it flows over the circular hole weirs and down into the reservoirs, with the bottom of the reservoir shown in blue.</p>

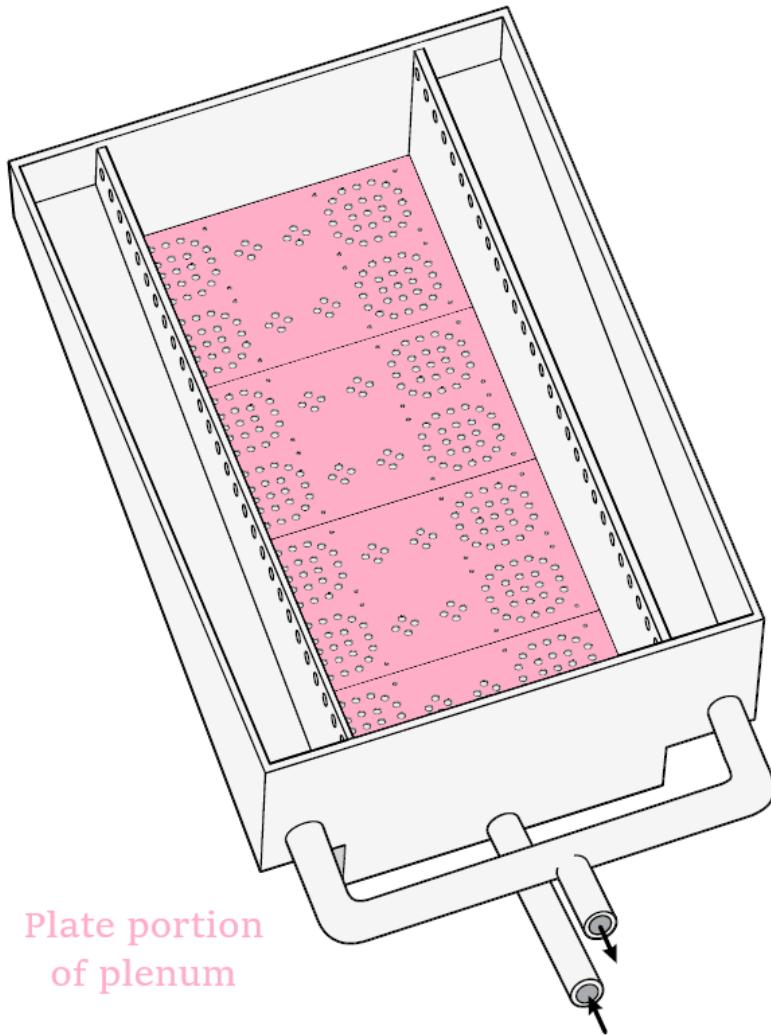
	
b. A primary circulation facility adapted to circulate the dielectric fluid through the tank, comprising:	The Accused Instrumentalities include a primary circulation facility adapted to circulate the dielectric fluid through the tank (as detailed below).
i. A plenum positioned adjacent the bottom of the tank, adapted to dispense the dielectric fluid sub-	<p>The primary circulation facility of the Second Accused Instrumentality includes a plenum positioned adjacent the bottom of the tank, adapted to dispense the dielectric fluid substantially uniformly upwardly through each appliance slot.</p> <p>Specifically, the plenum of the Accused Instrumentalities includes two components: (1) a rectangular bar or pipe that is adjacent to</p>

stantially uniformly upwardly through each appliance slot; and

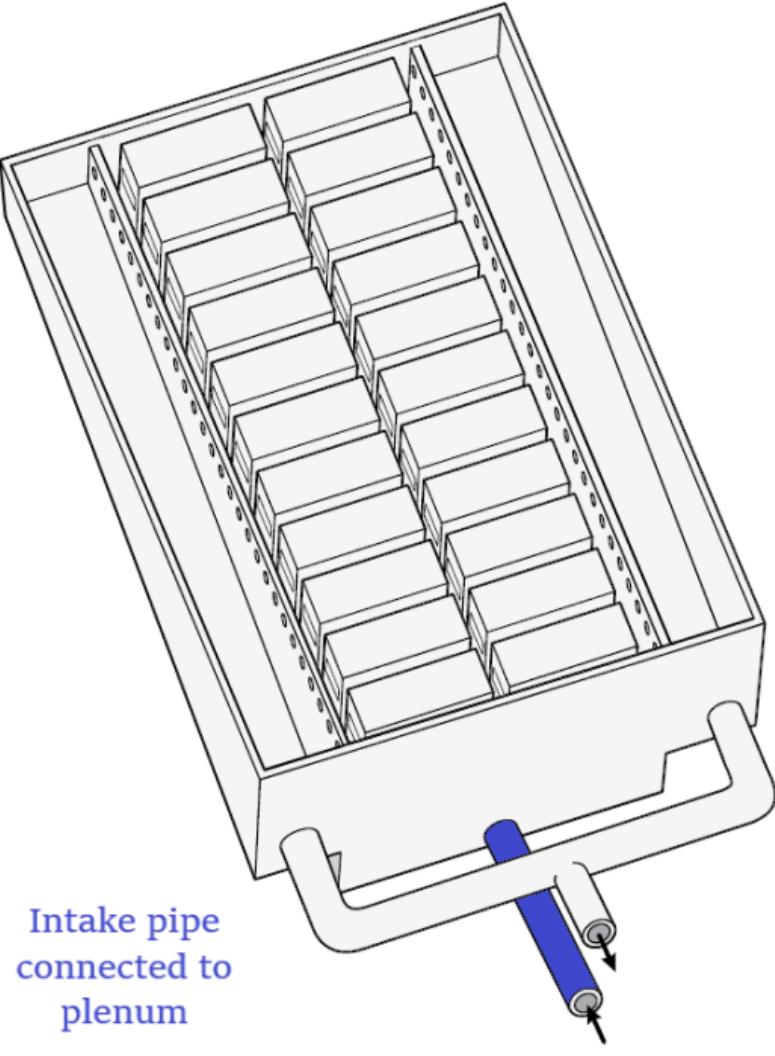
the bottom of the tank with circular holes in either sides that are adapted to dispense fluid substantially uniformly upwardly through each appliance slot; and (2) plates with a certain pattern of circular holes, where the plates are placed above the top of the rectangular bar or pipe and extending horizontally across the bottom of the entire tank, also adjacent to the bottom of the tank. The plates with their patterns of circular holes are adapted to dispense fluid substantially uniformly upwardly through each appliance slot. The dielectric fluid flows out of the holes of the first component then through the holes of the second component and up through each appliance slot substantially uniformly.

On information and belief, the below drawings approximately depict each component of the plenum.



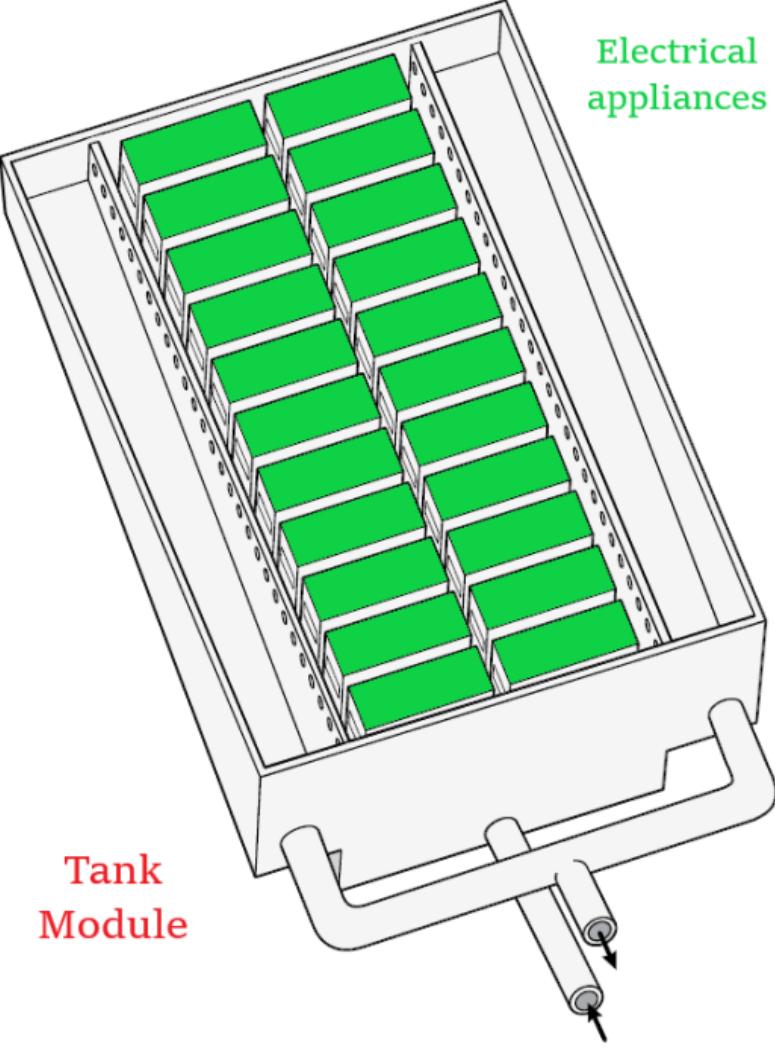


The below drawing depicts the dielectric fluid inlet pipe connected to the plenum, below the outtake pipe that is connected to the dielectric fluid recovery reservoirs:

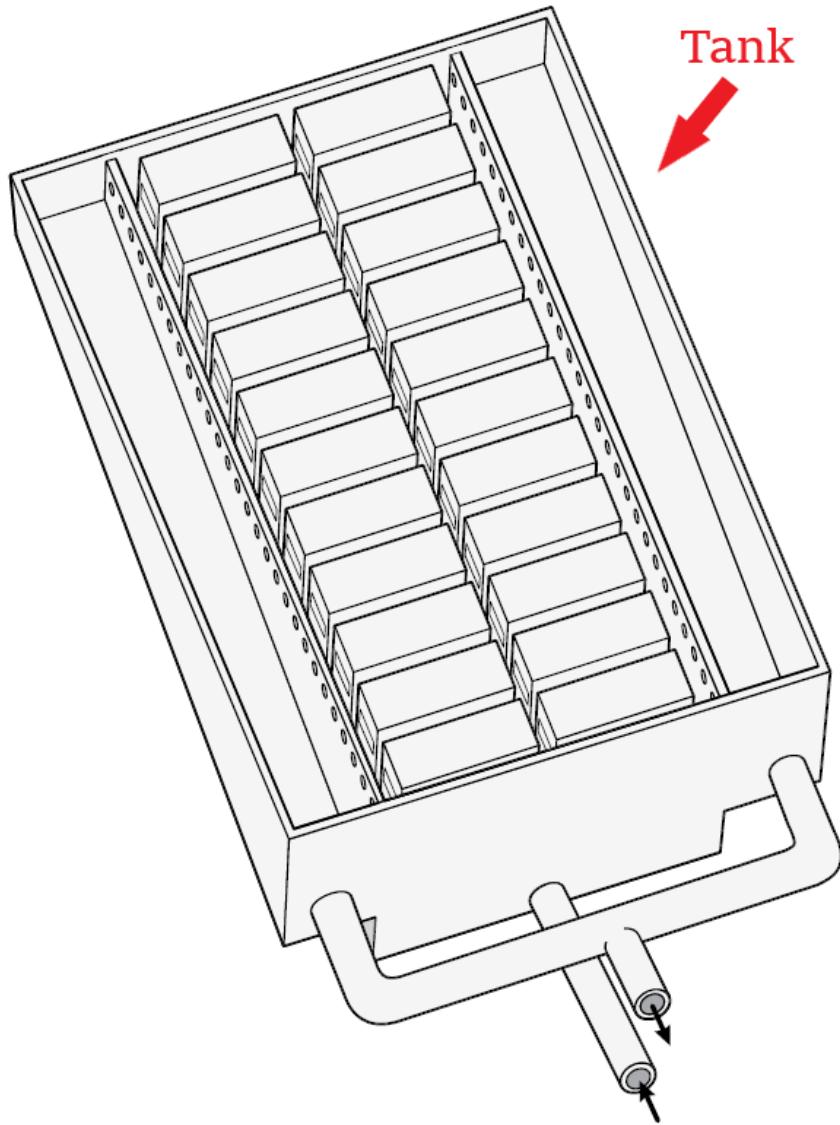
	
c. A control facility adapted to control the operation of the primary fluid circulation facility as a function of the temperature of the dielectric fluid in the tank.	<p>On information and belief, in operation, the Accused Instrumentalities' tank module includes a control facility adapted to control the operation of the primary fluid circulation facility as a function of the temperature of the dielectric fluid in the tank.</p> <p>Specifically, the control facility includes an automated controller with software that monitors and controls the pumps, dry coolers, and temperature of the dielectric fluid in the tanks through the use of sensors. <i>See, e.g.</i>, Amendment No. 4 to Form S-1 at 74, Rhodium Enterprises, Inc. (filed Dec. 14, 2021), available at https://sec.report/Document/0001213900-21-065116/fs12021a4_rhodium.htm (“Additionally, we have developed and maintained proprietary software to optimize performance of our miners and infrastructure in real-time . . . Specifically, our software allows us to make quicker, and data-informed, decisions, securely and rapidly put miners online and more effectively manage temperature and energy.”); <i>id.</i></p>

	at 79 (“In tandem to developing our own software, we employ sensors not only telling us the temperature of each miner in real-time through visual heat maps, but we have also installed microsensors throughout our liquid-cooling plumbing system that measure flow rate, temperature and presume. Using machine learning technology and the data points collected by these sensors, robotic process automation (RPA) triggers a tuning response to the power intake as needed to either remediate or optimize miner performance.”).
7. The module of claim 6 wherein the tank and primary circulation facility comprise a highly-integrated module.	The Accused Instrumentalities of claim 6 includes a tank and primary circulation facility that are a highly-integrated module. Specifically, the tank and primary circulation facility of the Accused Instrumentalities are adjacent and tightly co-located.
10. The module of claim 6 wherein the control facility further comprises a communication facility adapted to facilitate monitoring and control of the control facility from a remote location.	The Accused Instrumentalities of claim 6 include a control facility that comprises a communication facility adapted to facilitate monitoring and control of the control facility from a remote location. Specifically, the communication facility includes mobile and web applications, and related software and/or hardware, that facilitate monitoring and controlling microsensors. <i>See, e.g.,</i> Amendment No. 6 to Form S-1 at 88, Rhodium Enterprises, Inc. (filed Jan. 18, 2022), <i>available at</i> https://www.sec.gov/Archives/edgar/data/0001874985/000121390022002442/fs12022a6_rho-dium.htm (“We have specifically designed mobile and web applications to meet the demands of an industrial-scale liquid-cooled mining operation. Through a series of microsensors, machine-learning and application programming interfaces, our proprietary mining software provides real-time data that enable increased miner up-time, hash rate and scalability. In tandem to developing our own software, we employ sensors not only telling us the temperature of each miner in real-time through visual heat maps, but we have also installed microsensors throughout our liquid-cooling plumbing system that measure flow rate, temperature and presume. Using machine learning technology and the data points collected by these sensors, robotic process automation (RPA) triggers a tuning response to the power intake as needed to either remediate or optimize miner performance.”); <i>see also</i> “Learn More About Rhodium,” Rhodium Enterprises (last accessed Apr. 6, 2022), <i>available at</i> rhdm.com/#section1 (“Our platform includes our flagship liquid-cooling system and efficiency optimization software. . . Our proprietary software was designed to optimize performance of our miners and infrastructure in real-time allowing us to make quicker, data-informed decisions, securely put miners online, and more ef-

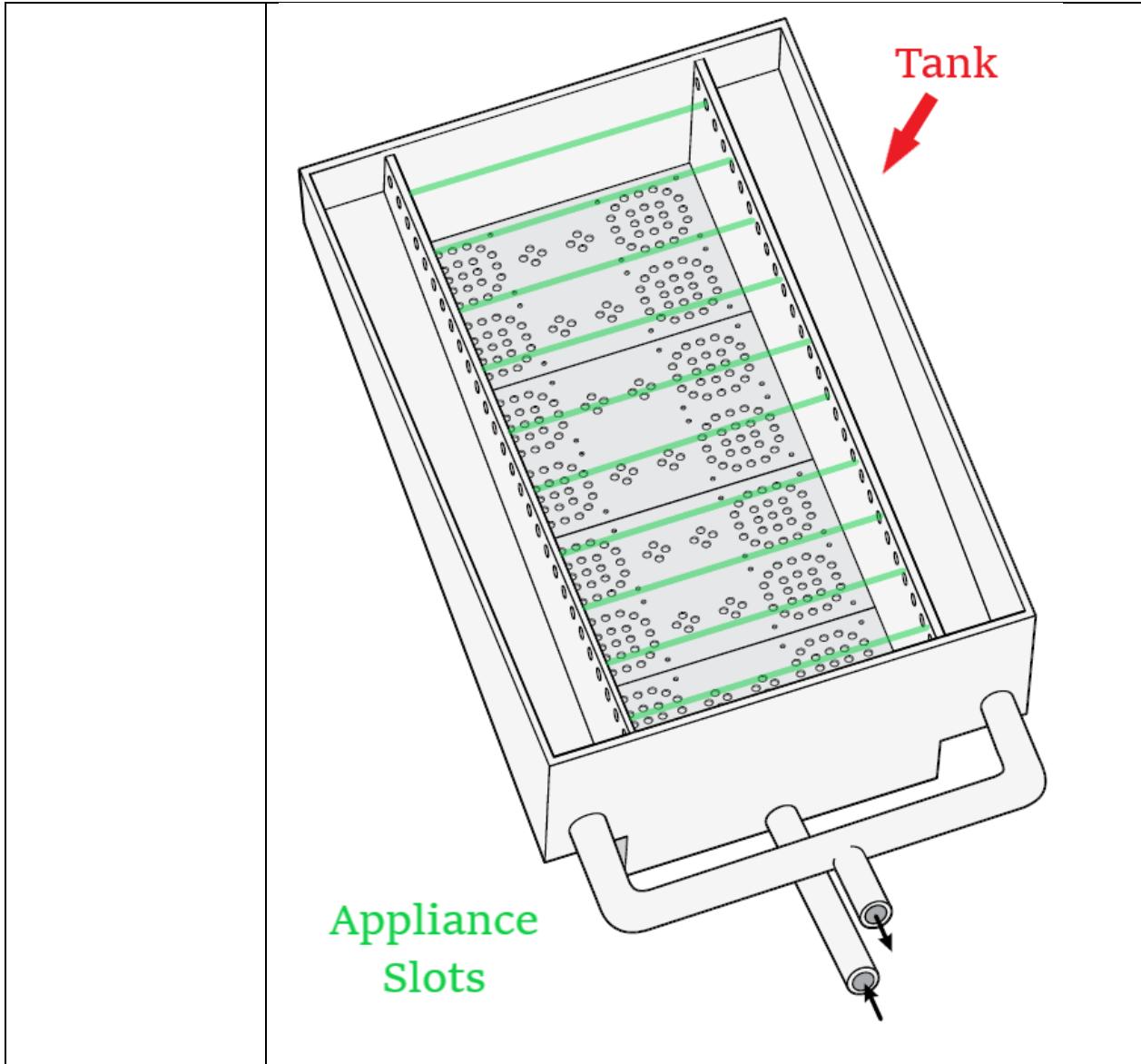
	fectively manage temperature, energy, and people.”). On information and belief, the mobile and web applications can be accessed from a remote location.
11. A tank module (10) adapted for use in an appliance immersion cooling system, the tank module comprising:	<p>To the extent that the preamble may be limiting:</p> <p>Defendants Rhodium Technologies LLC and Rhodium Enterprises, Inc. and their subsidiaries (together “Rhodium”), as well as the Individual Defendants, make, own, develop, acquire, operate and use tank modules adapted for use in appliance cooling systems by way of liquid cooling systems for mining cryptocurrency (the Accused Instrumentalities).</p> <p>Rhodium is “an industrial-scale digital asset technology company” that mines bitcoin with a “fully integrated infrastructure platform” that includes “directly owning and operating [its] own customized mining sites.” Amendment No. 4 to Form S-1 at 1, Rhodium Enterprises, Inc. (filed Dec. 14, 2021), available at https://sec.report/Document/0001213900-21-065116/fs12021a4_rhodium.htm. “The cornerstone of [Rhodium’s] infrastructure platform is [its] liquid-cooling technology” which is “uniquely designed” to “maintain low operating costs and manage energy consumption.” <i>Id.</i> Rhodium “design[s], build[s], operat[es], and maintain[s]” tank modules adapted for use in a liquid appliance cooling system. <i>Id.</i> (“Our technology allows us to submerge our bitcoin miners in the fluid”); <i>see also id.</i> at 58 (“We own specialized computers (‘miners’”); “Miners are comprised of sensitive electrical equipment”).</p> <p>On information and belief, the below drawing approximately depicts the Accused Instrumentalities, <i>i.e.</i> the tank module which is</p>

	<p>adapted for use in an appliance cooling system (the tank module also includes the control facility, which is not depicted below):</p>  <p>Tank Module</p> <p>Electrical appliances</p>
a. a tank (12) adapted to immerse in a dielectric fluid a plurality of electrical appliances (16), each in a respective appliance slot (18) distributed vertically along, and extending transverse to, a long wall of the	<p>The Accused Instrumentality includes a tank adapted to immerse in a dielectric fluid a plurality of electrical appliances, each in a respective appliance slot distributed vertically along, and extending transverse to, a long wall of the tank.</p> <p>Specifically, the tank holds dielectric fluid in which Rhodium's mining computers, i.e. electrical appliances, are submerged. See SEC Form 1 at 78 ("Liquid-cooling technology, on the other hand, reduces these issues by submerging miners in a dielectric, oil-based fluid that creates an environment more conducive to efficient heat extraction and transfer."); <i>id.</i> at 1 ("Our technology allows us to submerge our bitcoin miners in the fluid").</p>

tank (10), the tank comprising:	On information and belief, the below drawing approximately depicts Defendants' tank (with electrical appliances installed) :
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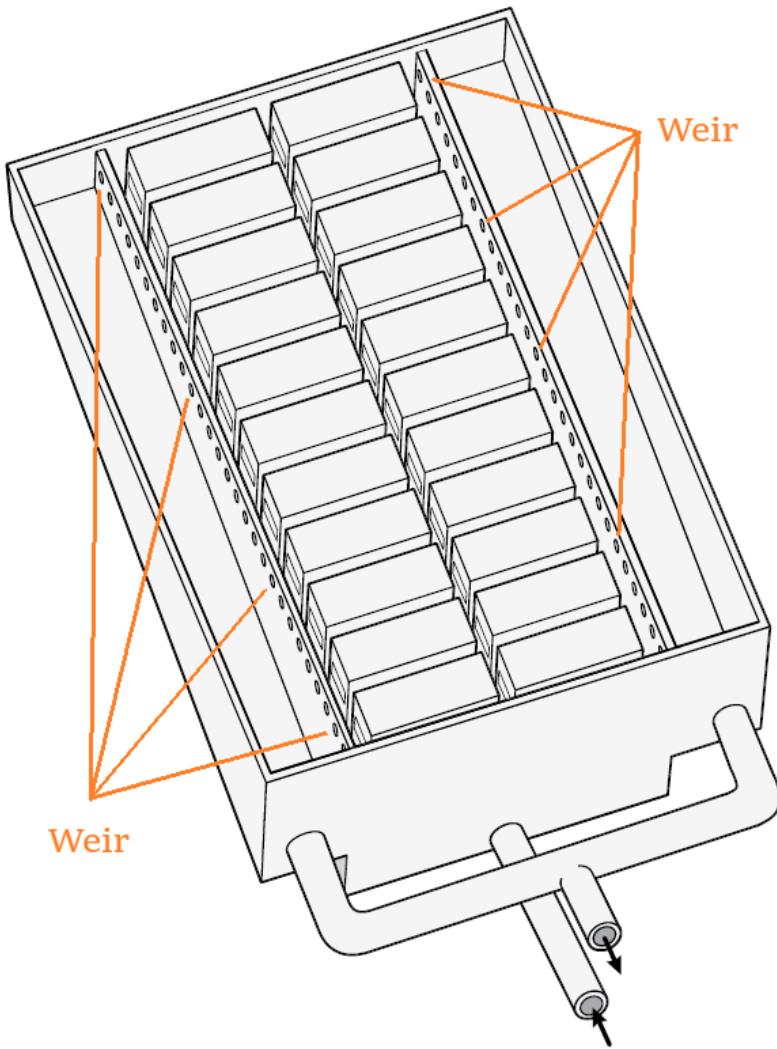
	On information and belief, the below drawing approximately depicts the tank without the installed electrical appliances:
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	<p>On information and belief, in use, the tank is filled with dielectric fluid, and a plurality of electrical appliances (i.e. bitcoin mining computers, the tops of which are depicted in green) are placed in respective appliance slots distributed vertically along, and extending transverse to, a long wall of the tank, as shown in approximation below:</p> <p>Long walls of the tank</p> <p>Electrical appliances in appliance slots</p>
i. a weir (22), integrated horizontally into the long wall of the tank (10) adjacent all appliance slots	The tank of the Accused Instrumentalities includes a weir, integrated horizontally into the long wall of the tank adjacent all appliance slots, adapted to facilitate substantially uniform recovery of the dielectric fluid flowing through each appliance slot. Specifically, the tank includes circular holes that comprise a weir. There are weirs on both sides of the tank.

(18), adapted to facilitate substantially uniform recovery of the dielectric fluid flowing through each appliance slot (18);

On information and belief, the below drawing approximately depicts the two weirs of the Accused Instrumentality:

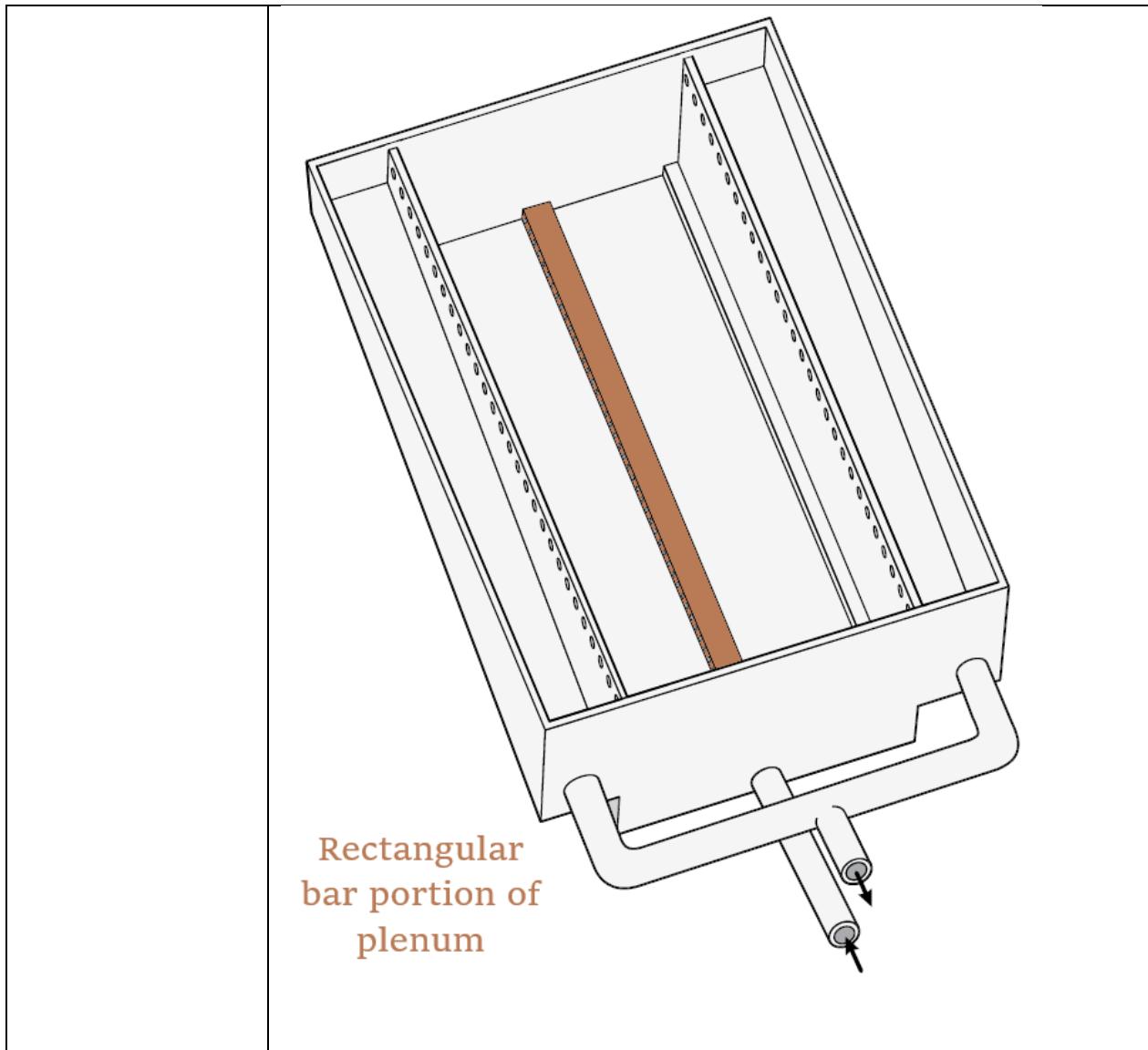


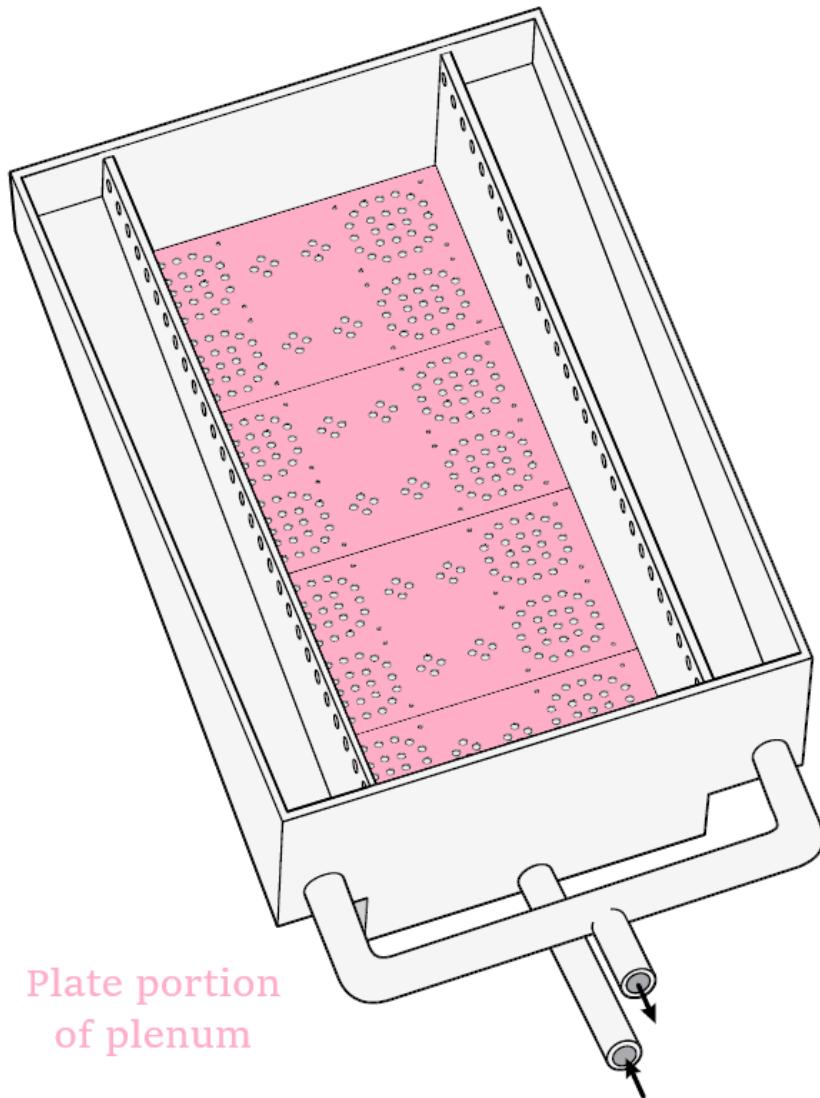
The weir is integrated horizontally into the long wall of the tank adjacent to the appliance slots and the weir is adapted to facilitate

	<p>substantially uniform recovery of the dielectric fluid flowing through each appliance slot.</p> <p>Weir</p> <p>Weir</p> <p>Electrical appliances in appliance slots</p>
b. a primary circulation facility (28) adapted to circulate the dielectric fluid through the tank (10), comprising:	The Accused Instrumentalities include a primary circulation facility adapted to circulate the dielectric fluid through the tank (as detailed below).

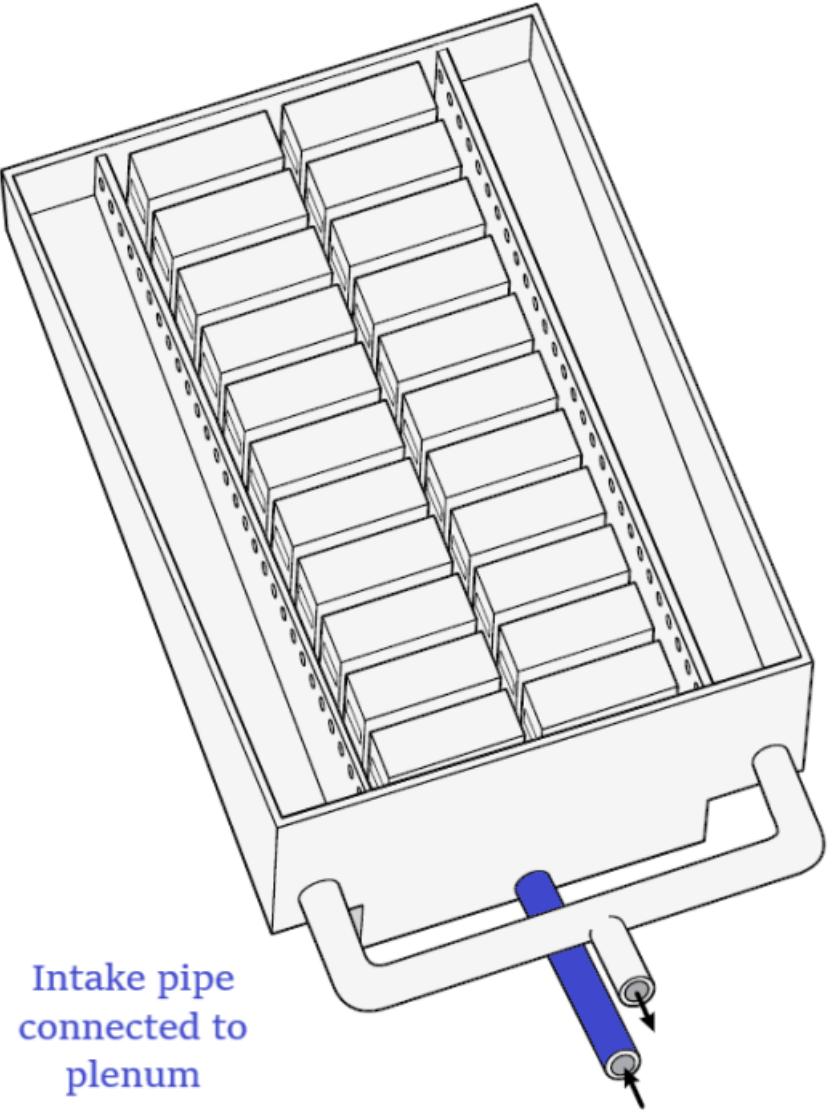
<p>i. a plenum (36), positioned adjacent the bottom of the tank (10), adapted to dispense the dielectric fluid substantially uniformly upwardly through each appliance slot (18); and</p>	<p>The primary circulation facility of the Accused Instrumentalities includes a plenum¹ positioned adjacent the bottom of the tank, adapted to dispense the dielectric fluid substantially uniformly upwardly through each appliance slot.</p> <p>Specifically, the plenum of the Accused Instrumentalities includes two components: (1) a rectangular bar or pipe that is adjacent to the bottom of the tank with circular holes in either sides that are adapted to dispense fluid substantially uniformly upwardly through each appliance slot; and (2) plates with a certain pattern of circular holes, where the plates are placed above the top of the rectangular bar or pipe and extending horizontally across the bottom of the entire tank, also adjacent to the bottom of the tank. The plates with their patterns of circular holes are adapted to dispense fluid substantially uniformly upwardly through each appliance slot. The dielectric fluid flows out of the holes of the first component then through the holes of the second component and up through each appliance slot substantially uniformly.</p> <p>On information and belief, the below drawings approximately depict each component of the plenum.</p>
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¹ The Court in *Midas Green Technologies, LLC v. Immersion Systems LLC* has adopted the parties' agreed construction for the term "plenum," construing it to mean "a structure for dispensing liquid". See Dkt. 84, at 9 (referring Dkt. 82-1, at 3.)





The below drawing depicts the dielectric fluid inlet pipe connected to the plenum, below the outtake pipe that is connected to the dielectric fluid recovery reservoirs:

	 <p>Intake pipe connected to plenum</p>
c. a control facility (58) adapted to control the operation of the primary fluid circulation facility (28) as a function of the temperature of the dielectric fluid in the tank (10).	<p>On information and belief, in operation, the Accused Instrumentalities' tank module includes a control facility adapted to control the operation of the primary fluid circulation facility as a function of the temperature of the dielectric fluid in the tank.</p> <p>Specifically, the control facility includes an automated controller with software that monitors and controls the pumps, dry coolers, and temperature of the dielectric fluid in the tanks through the use of sensors. <i>See, e.g., Amendment No. 4 to Form S-1 at 74, Rhodium Enterprises, Inc. (filed Dec. 14, 2021), available at https://sec.report/Document/0001213900-21-065116/fs12021a4_rhodium.htm</i> (“Additionally, we have developed and maintained proprietary software to optimize performance of our miners and infrastructure in real-time . . . Specifically, our software allows us to make quicker, and data-informed, decisions, securely and rapidly put miners</p>

	online and more effectively manage temperature and energy.”); <i>id.</i> at 79 (“In tandem to developing our own software, we employ sensors not only telling us the temperature of each miner in real-time through visual heat maps, but we have also installed microsensors throughout our liquid-cooling plumbing system that measure flow rate, temperature and presume. Using machine learning technology and the data points collected by these sensors, robotic process automation (RPA) triggers a tuning response to the power intake as needed to either remediate or optimize miner performance.”).
14. The module of claim 11 wherein the control facility further comprises a communication facility (62, 64) adapted to facilitate monitoring and control of the control facility from a remote location.	The Accused Instrumentalities of claim 11 includes a control facility that comprises a communication facility adapted to facilitate monitoring and control of the control facility from a remote location. Specifically, the communication facility includes mobile and web applications, and related software and/or hardware, that facilitate monitoring and controlling microsensors. <i>See, e.g.</i> , Amendment No. 6 to Form S-1 at 88, Rhodium Enterprises, Inc. (filed Jan. 18, 2022), available at https://www.sec.gov/Archives/edgar/data/0001874985/000121390022002442/fs12022a6_rho-dium.htm (“We have specifically designed mobile and web applications to meet the demands of an industrial-scale liquid-cooled mining operation. Through a series of microsensors, machine-learning and application programming interfaces, our proprietary mining software provides real-time data that enable increased miner up-time, hash rate and scalability. In tandem to developing our own software, we employ sensors not only telling us the temperature of each miner in real-time through visual heat maps, but we have also installed microsensors throughout our liquid-cooling plumbing system that measure flow rate, temperature and presume. Using machine learning technology and the data points collected by these sensors, robotic process automation (RPA) triggers a tuning response to the power intake as needed to either remediate or optimize miner performance.”); <i>see also</i> “Learn More About Rhodium,” Rhodium Enterprises (last accessed Apr. 6, 2022), available at rhdm.com/#section1 (“Our platform includes our flagship liquid-cooling system and efficiency optimization software. . . . Our proprietary software was designed to optimize performance of our miners and infrastructure in real-time allowing us to make quicker, data-informed decisions, securely put miners online, and more effectively manage temperature, energy, and people.”). On information and belief, the mobile and web applications can be accessed from a remote location.
15. An appliance immersion cooling system comprising	As noted above, the Accused Instrumentalities comprise appliance cooling systems including the tank modules of claims 11 and 14.

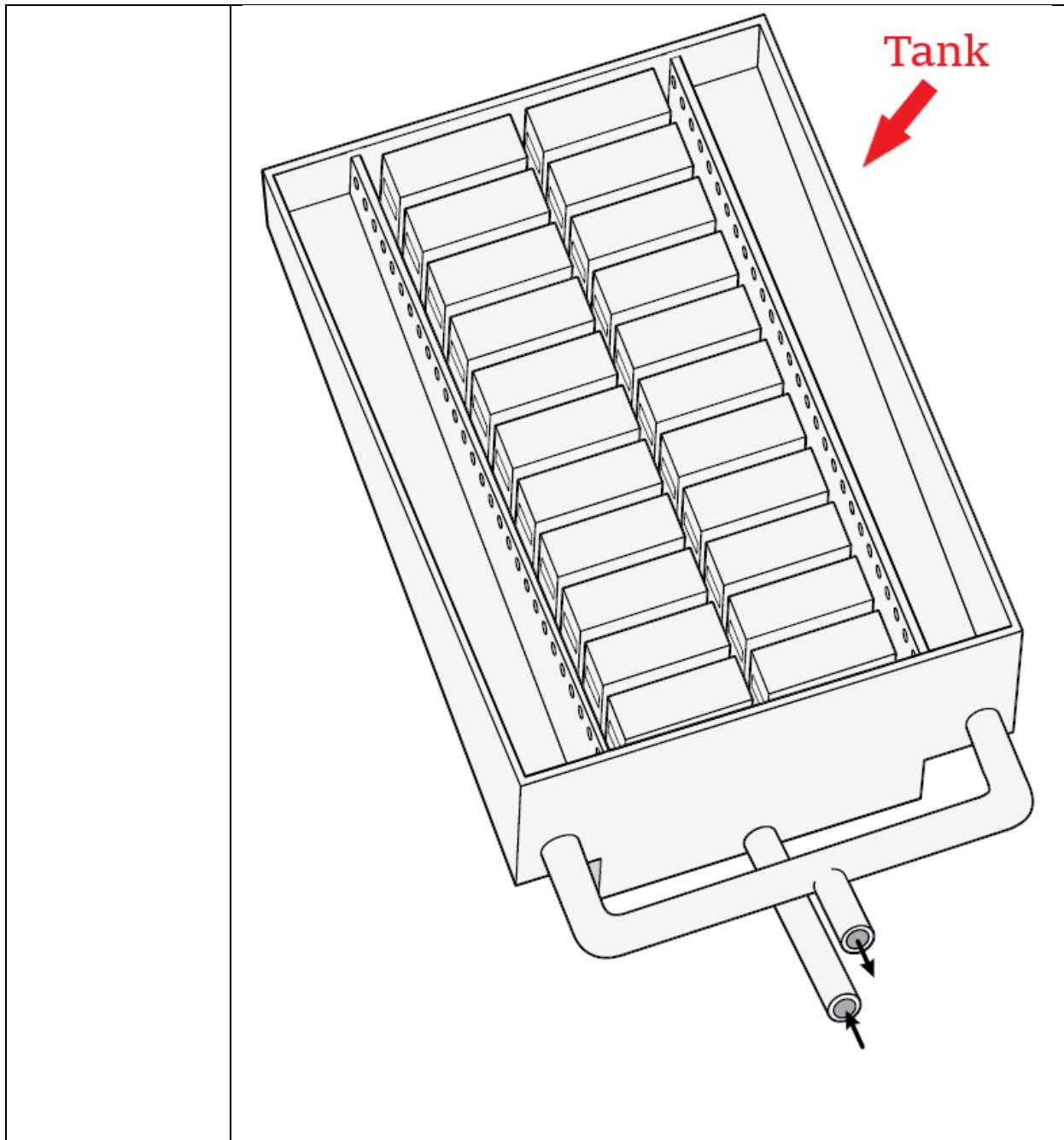
a tank module according to any one of the preceding claims 11 through 14.	
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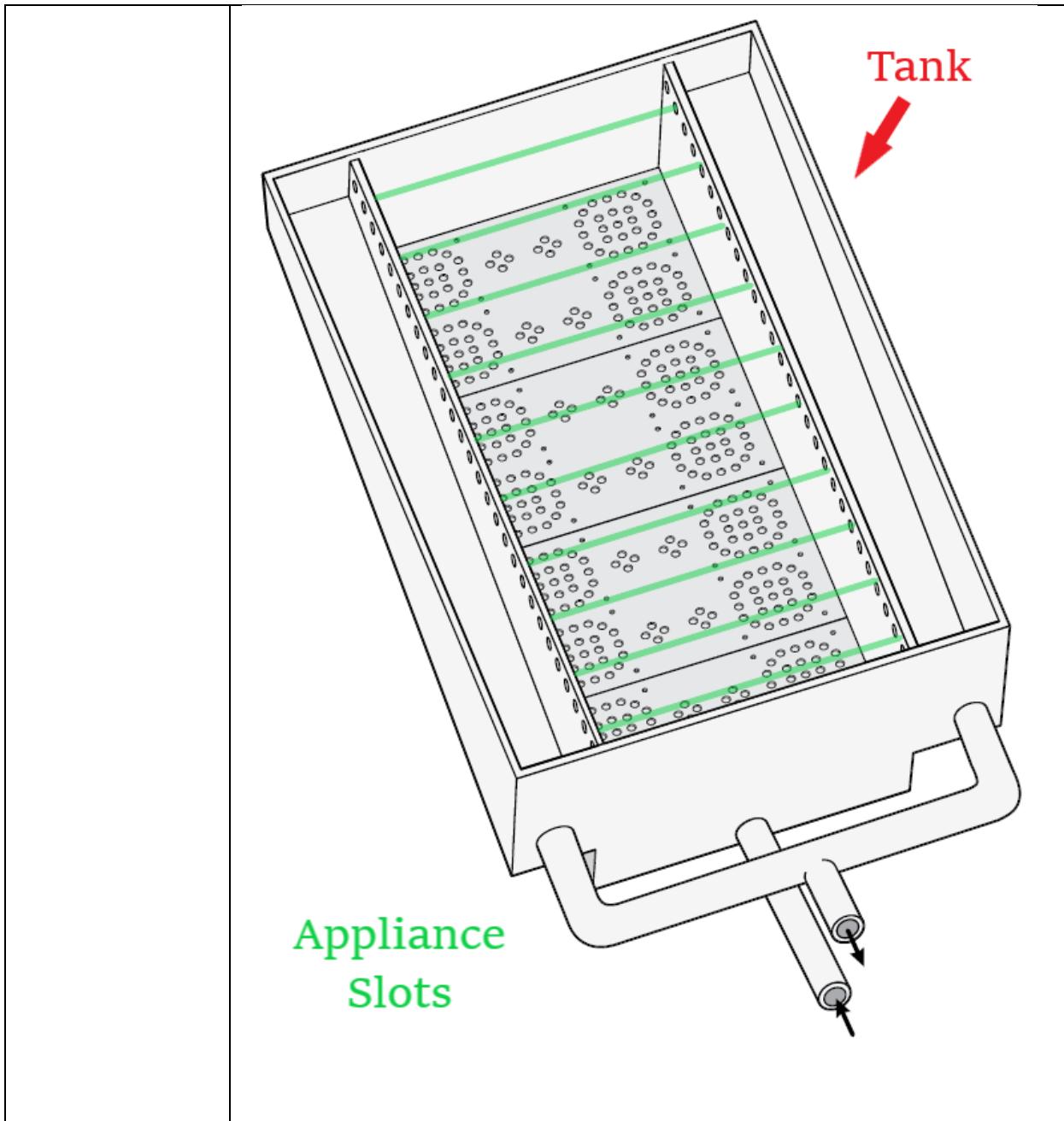
Exhibit B

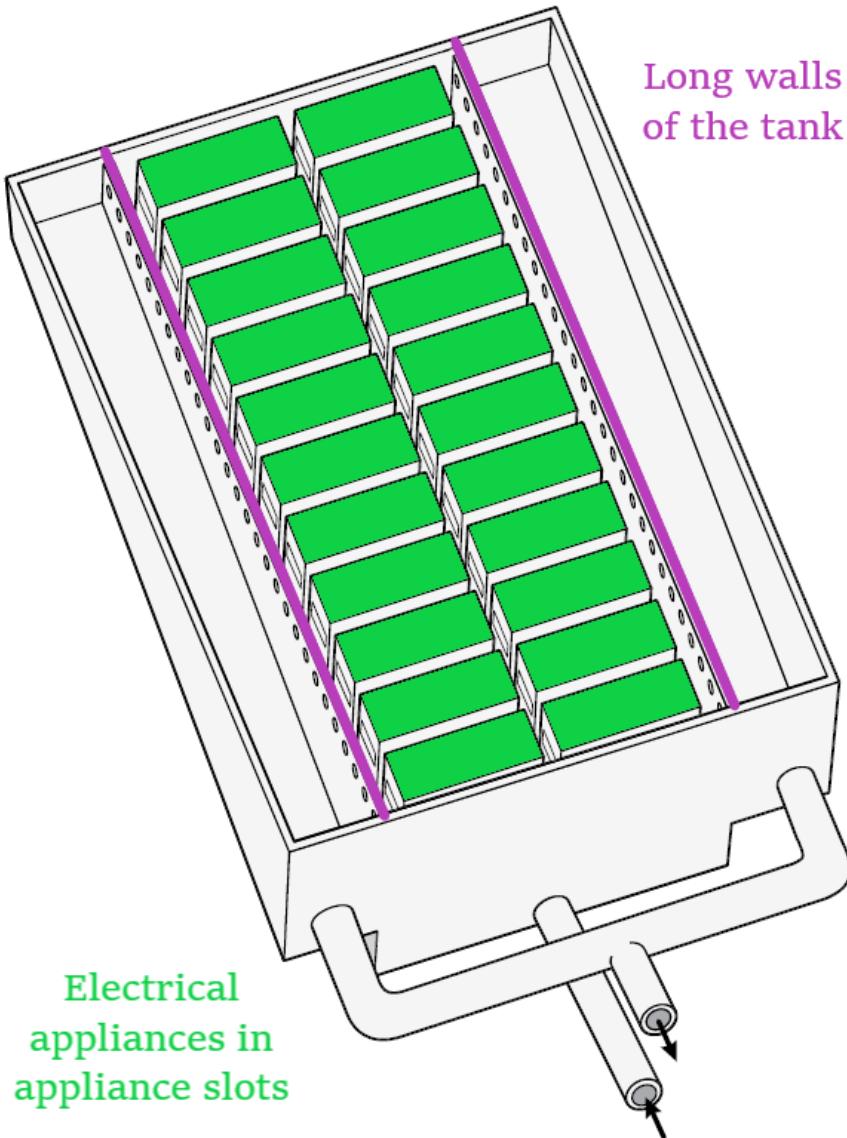
Preliminary Infringement Contentions: '446 Patent Claim Chart

Claim Elements	Where Found in Accused Instrumentalities
1. An appliance immersion cooling system comprising:	<p>To the extent that the preamble may be limiting:</p> <p>Defendants Rhodium Technologies LLC and Rhodium Enterprises, Inc. and their subsidiaries (together “Rhodium”), as well as the Individual Defendants, make, own, develop, acquire, operate and use appliance immersion cooling systems by way of liquid cooling systems for mining cryptocurrency (the Accused Instrumentalities). See Amendment No. 6 to Form S-1 at 1, Rhodium Enterprises, Inc. (filed Jan. 18, 2022), available at https://www.sec.gov/Archives/edgar/data/0001874985/000121390022002442/fs12022a6_rho-dium.htm (“Our fully integrated infrastructure platform includes our flagship liquid-cooling system . . .”).</p> <p>Rhodium is “an industrial-scale digital asset technology company” that mines bitcoin with a “fully integrated infrastructure platform” that includes “directly owning and operating [its] own customized mining sites.” Amendment No. 4 to Form S-1 at 1, Rhodium Enterprises, Inc. (filed Dec. 14, 2021), available at https://sec.report/Document/0001213900-21-065116/fs12021a4_rho-dium.htm. “The cornerstone of [Rhodium’s] infrastructure platform is [its] liquid-cooling technology” which is “uniquely designed” to “maintain low operating costs and manage energy consumption.” <i>Id.</i> Rhodium “design[s], build[s], operat[es], and maintain[s]” tank modules adapted for use in a liquid appliance cooling system. <i>Id.</i> (“Our technology allows us to submerge our bitcoin miners in the fluid”); <i>see also id.</i> at 58 (“We own specialized computers (‘miners’”); “Miners are comprised of sensitive electrical equipment”).</p> 

	Exemplary Accused Instrumentalities
a. a tank adapted to immerse in a dielectric fluid a plurality of electrical appliances, each in a respective appliance slot distributed vertically along, and extending transverse to, a long wall of the tank, the tank comprising:	The Accused Instrumentalities include a tank, an example of which is depicted in the below drawing that on information and belief approximates portions of the Accused Instrumentalities. The tank is adapted to immerse in a dielectric fluid a plurality of electrical appliances each in a respective appliance slot distributed vertically long, and extending transverse to, a long wall of the tank. <i>See also</i> Amendment No. 6 to Form S-1 at 1, Rhodium Enterprises, Inc. (filed Jan. 18, 2022), available at https://www.sec.gov/Archives/edgar/data/0001874985/000121390022002442/fs12022a6_rho-dium.htm (“Our technology allows us to submerge our bitcoin miners in cooling fluid”); <i>id.</i> at 88 (“Liquid-cooling technology, on the other hand, reduces these issues by submerging miners in a dielectric, oil-based fluid that creates an environment more conducive to efficient heat extraction and transfer.”); <i>see also</i> “Learn More About Rhodium,” Rhodium Enterprises (last accessed Apr. 6, 2022), available at rhdm.com/#section1 (“Our platform includes our flagship liquid-cooling system and efficiency optimization software.”).







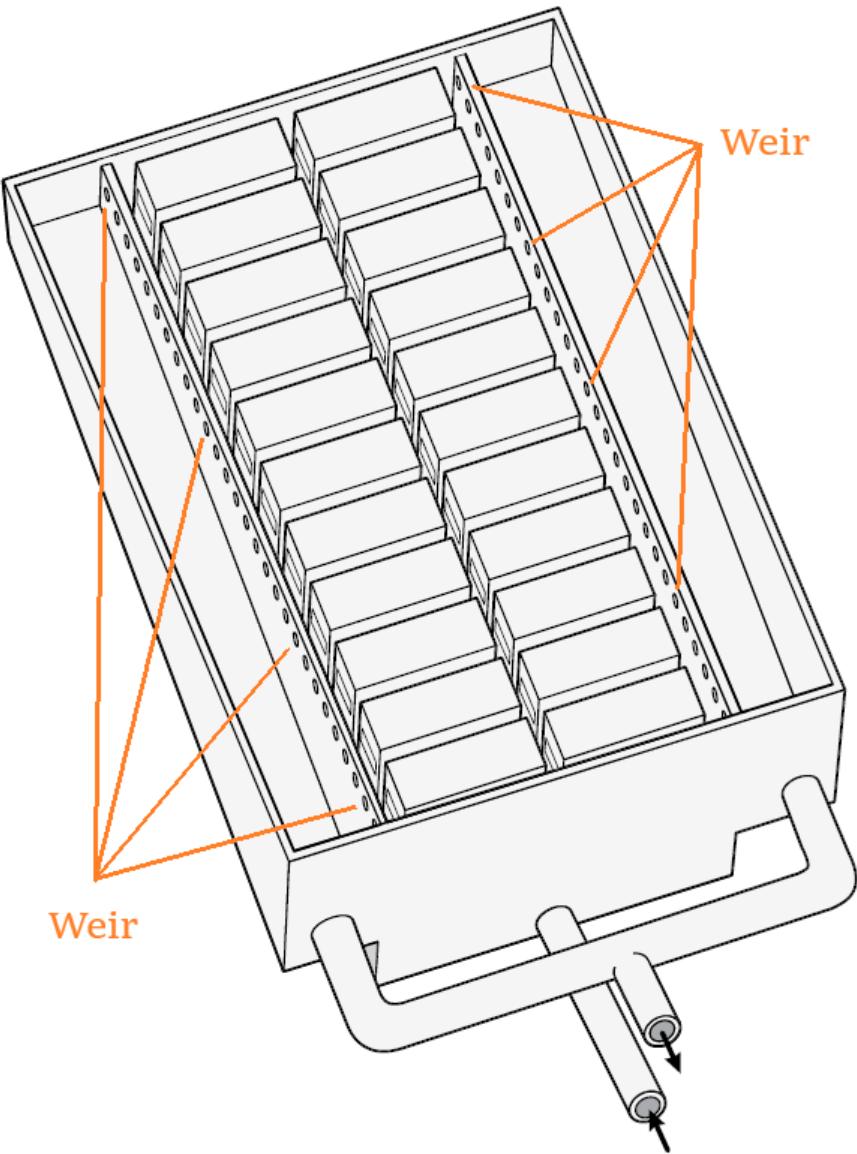
Pictures from Rhodium's website depict the appliance slots (with electrical appliances, *i.e.*, bitcoin miners, installed) distributed vertically along, and extending transverse to, a long wall of the tank. The electrical appliances in the pictures are immersed in a dielectric fluid. See rhdm.com.

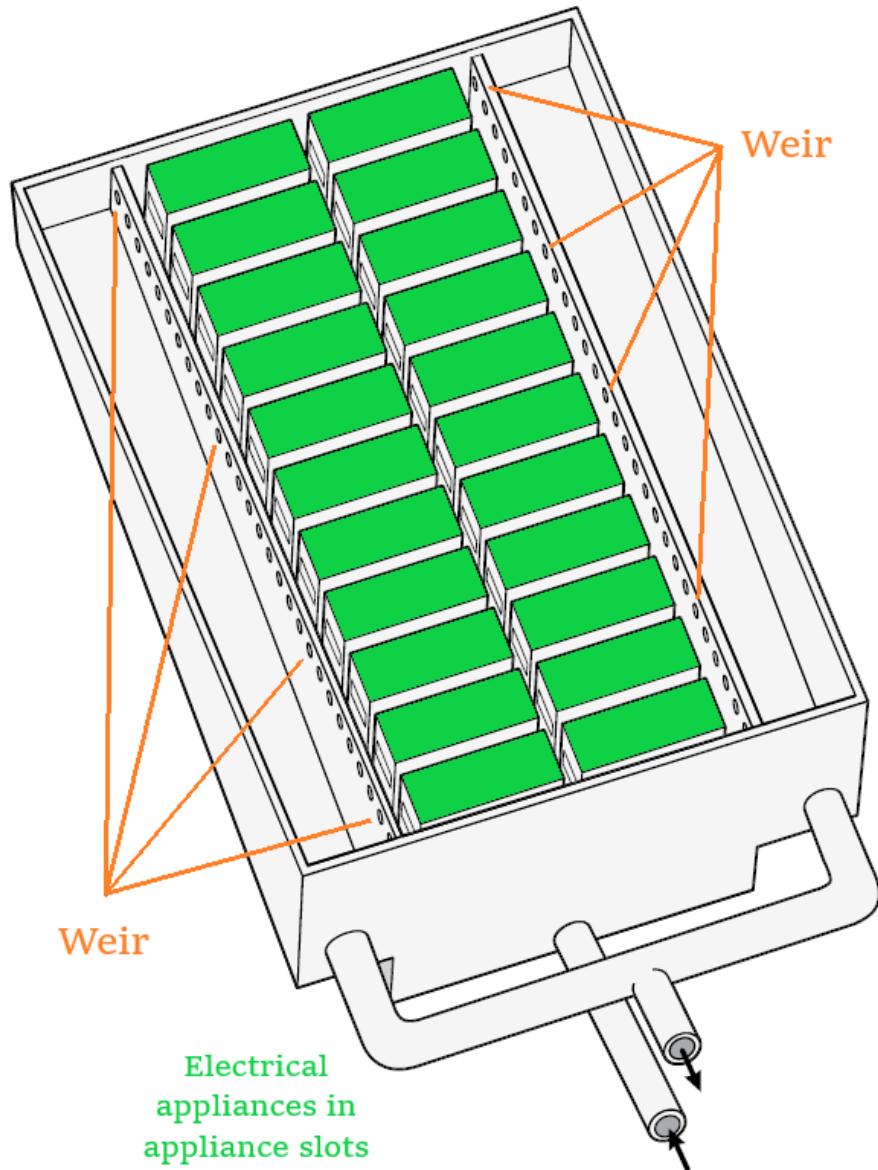
	
	 <p>Building Bitcoin with Innovation, Sustainability, and Integrity.</p>
i. a weir, integrated horizontally into the long wall of the tank adjacent all appliance slots, adapted to facilitate substantially uniform recovery of the dielectric fluid flowing through	The tank of the Accused Instrumentalities include a weir that is integrated horizontally into the long wall of the tank adjacent all appliance slots, e.g. a horizontal line of weir holes just below the top long edge of the tank, adapted to facilitate substantially uniform recovery of the dielectric fluid flowing through each appliance slot, e.g., in operation the level of the fluid in the tank of the Accused Instrumentalities is level with the weir holes, facilitating a substantially uniform flow of the dielectric fluid over the weir holes, the weir holes being distributed equidistantly along the length of the long wall of the tank of the Accused Instrumentalities, thus facilitating substantially uniform recovery of the dielectric fluid flowing through each appliance

each appliance slot;

slot in the tank. On information and belief, the weir of the tank is approximately depicted in the below drawing.

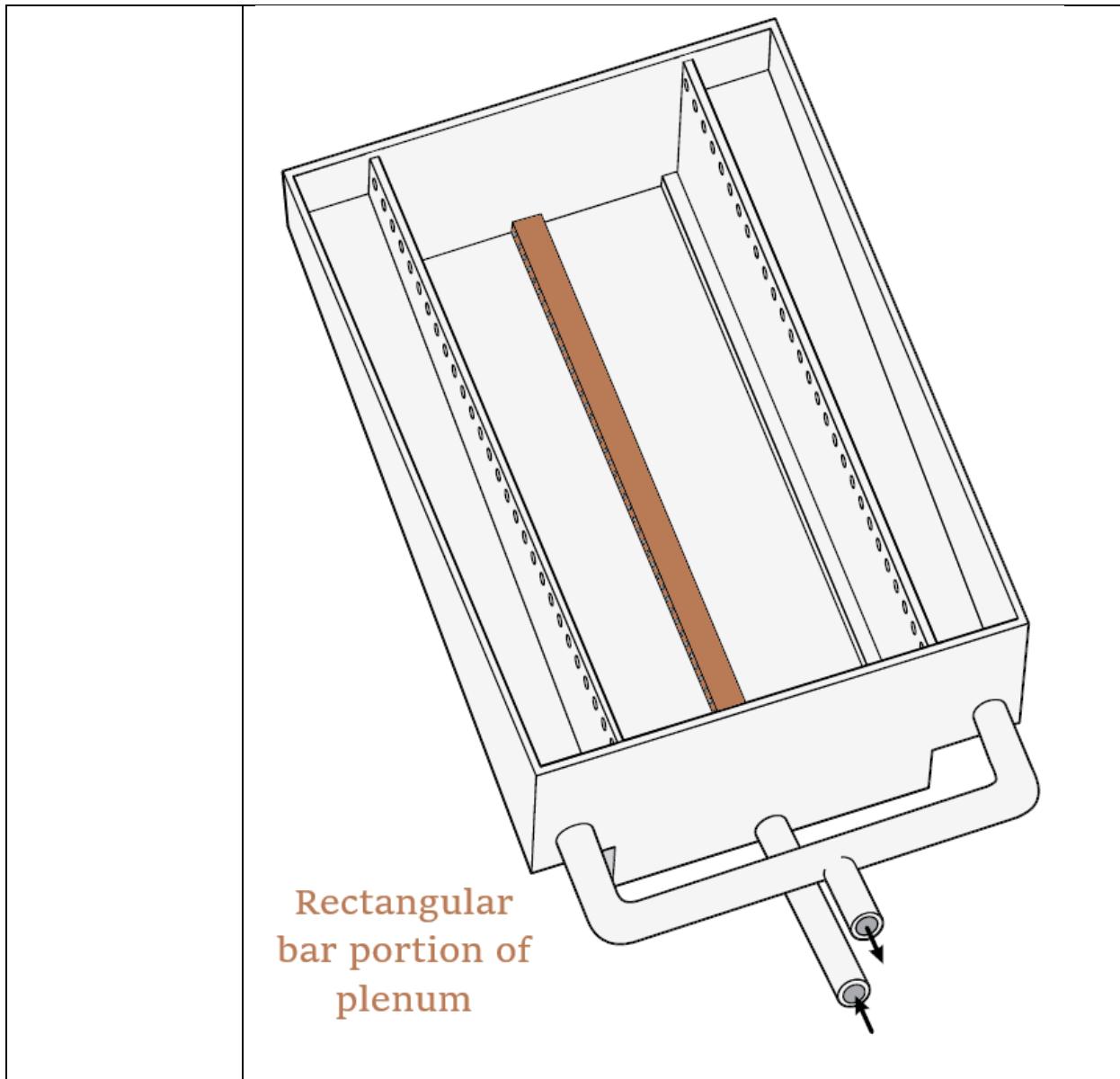
In the alternative, this element of limitation is present under the doctrine of equivalents, in that a plurality of weir holes is an equivalent of a weir.

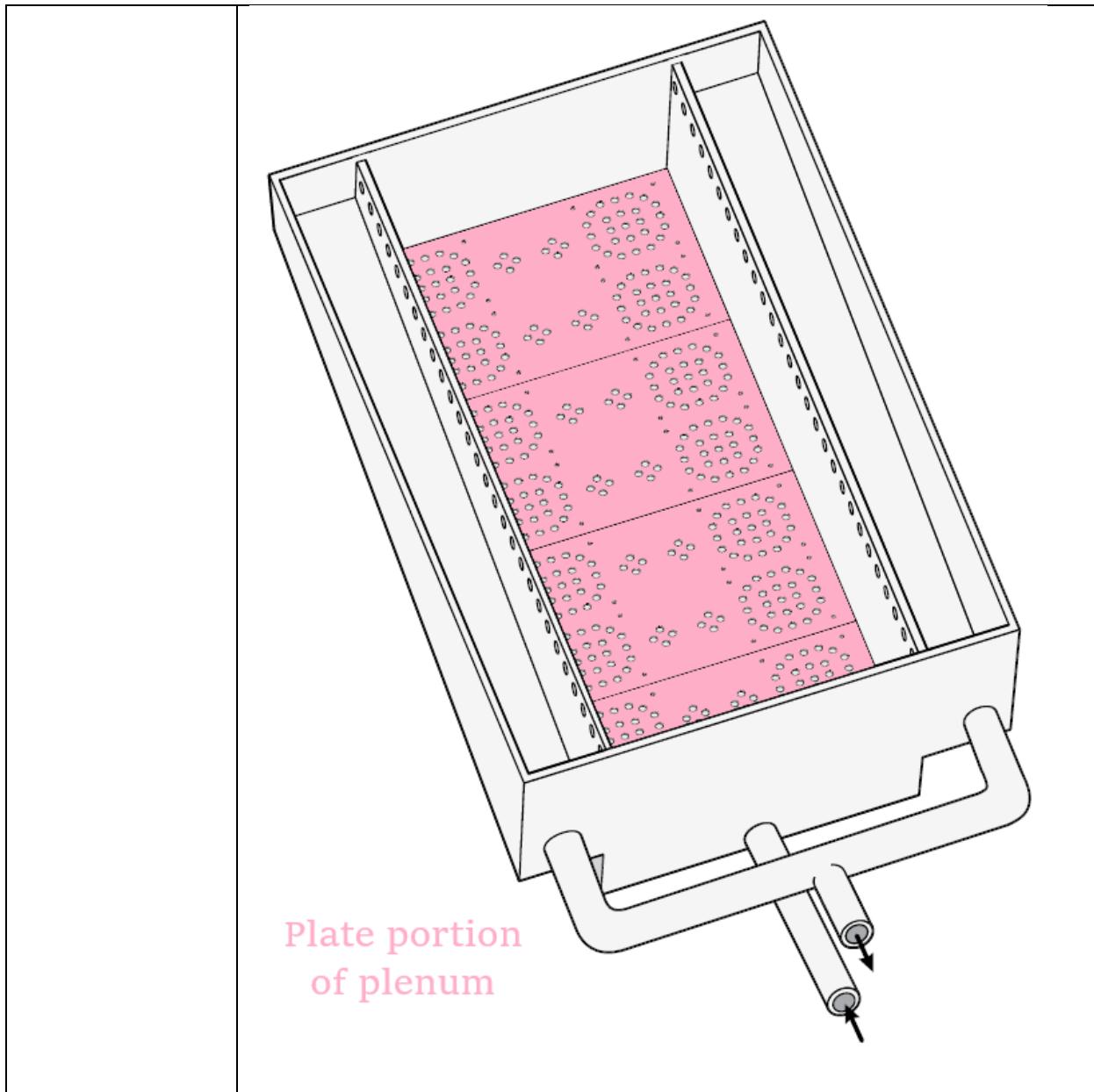


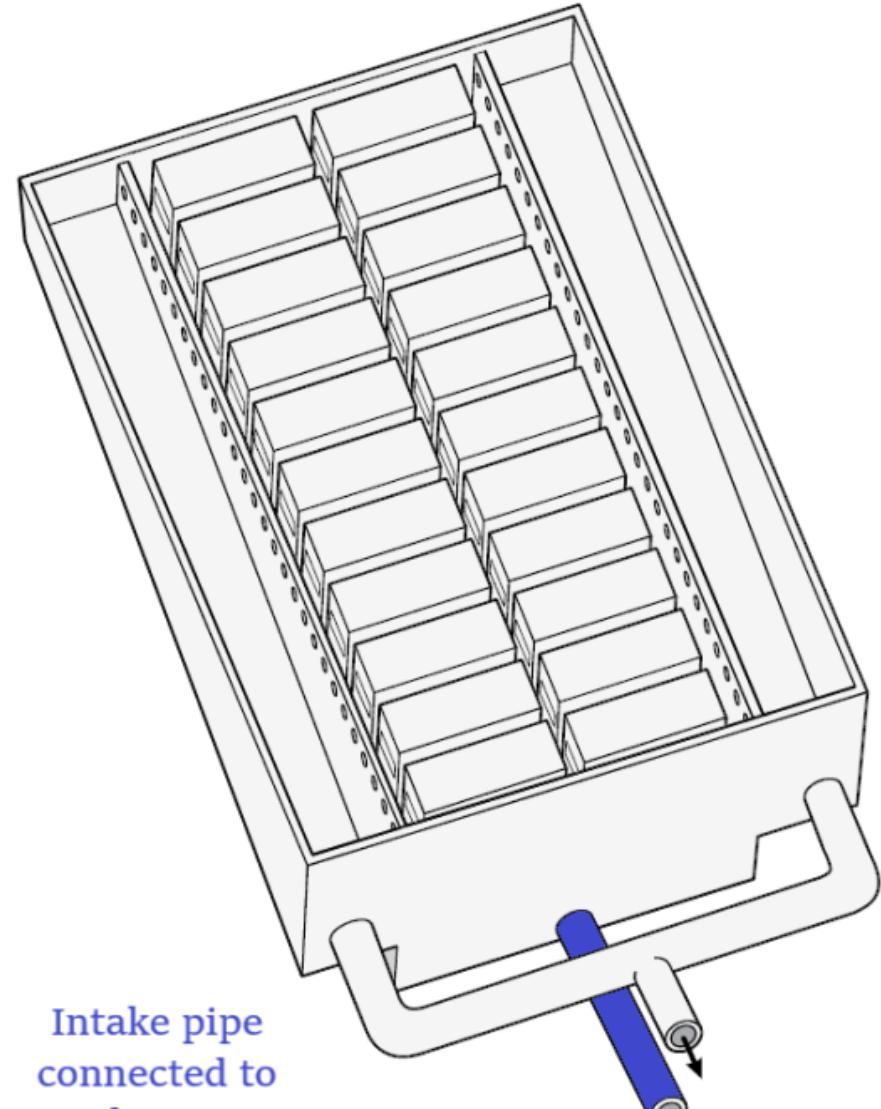


On information and belief, the weir of the Accused Instrumentalities is materially identical and substantially the same design as that depicted in a YouTube video for Immersion Systems, a company founded by individual defendants Chase Blackmon, Cameron Blackmon, and Nathan Nichols. See <https://www.youtube.com/watch?v=kQ6cycss5ds> at 1:40.

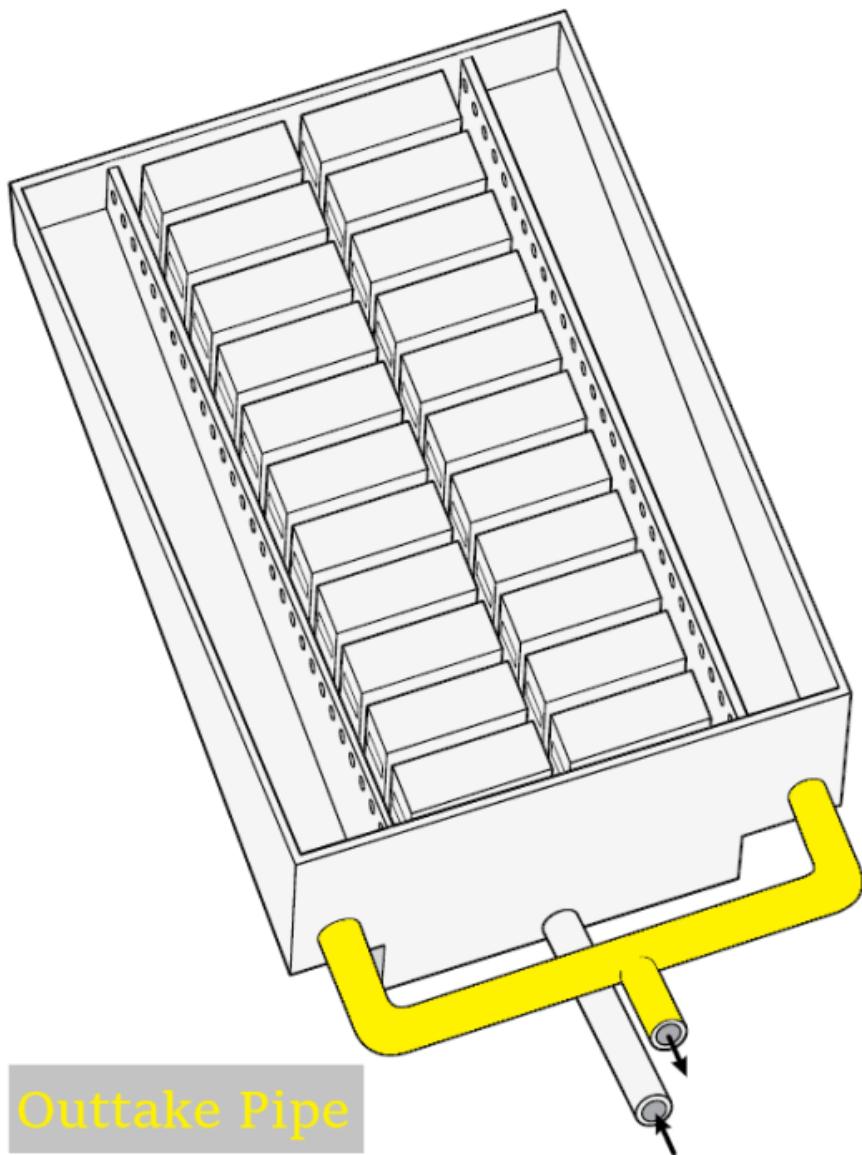
b. a primary circulation facility adapted to circulate the dielectric fluid through the tank, comprising:	The Accused Instrumentalities include a primary circulation facility adapted to circulate the dielectric fluid through the tank, which includes a plenum, as described below.
i. a plenum, positioned adjacent the bottom of the tank, adapted to dispense the dielectric fluid substantially uniformly upwardly through each appliance slot;	The primary circulation facility of the Accused Instrumentalities include a plenum, positioned adjacent the bottom of the tank, adapted to dispense the dielectric fluid substantially uniformly upwardly through each appliance slot. As approximately depicted in the below drawings, on information and belief, the plenum includes two portions: a rectangular bar portion and a plate portion. The rectangular bar portion is underneath the plate portion. Dielectric fluid first flows through the rectangular bar portion then upwards through the plate portion. The two portions of the plenum are designed to dispense the dielectric fluid substantially uniformly upwardly through each appliance slot, which are above the plate portion of the plenum.





	
c. a secondary fluid circulation facility adapted to extract heat from the dielectric fluid circulating in the primary circulation facility, and to dissipate to the environment the heat so extracted; and	<p>The Accused Instrumentalities include a secondary fluid circulation facility adapted to extract heat from the dielectric fluid circulating in the primary circulation facility, and to dissipate to the environment the heat so extracted. On information and belief, the secondary fluid circulation facility is a dry cooler or similar cooling device, adapted to extract heat from the dielectric fluid and dissipate the extracted heat to the environment. See, e.g., Amendment No. 6 to Form S-1 at 111, Rhodium Enterprises, Inc. (filed Jan. 18, 2022), available at https://www.sec.gov/Archives/edgar/data/0001874985/000121390022002442/fs12022a6_rho-dium.htm (“During the nine months ended September 30, 2021, Energy Tech LLC purchased on behalf of the Company approximately \$0.1 million of dry coolers and related engineering services”);</p>

id. at F-46 (“The Company purchased certain dry coolers from a related party at a cost of \$409. These dry coolers are included in property and equipment in the accompanying consolidated and combined balance sheet.”). The hot dielectric fluid, after flowing through the appliances slots, over the weir, and down into the fluid recovery reservoir, then flows out the outtake pipe connected to the fluid recovery reservoir and flows to the secondary fluid circulation facility for heat extraction. After extraction of heat in the secondary fluid circulation facility, the re-cooled dielectric fluid is then cycled back to a primary circulation facility to repeat the process.

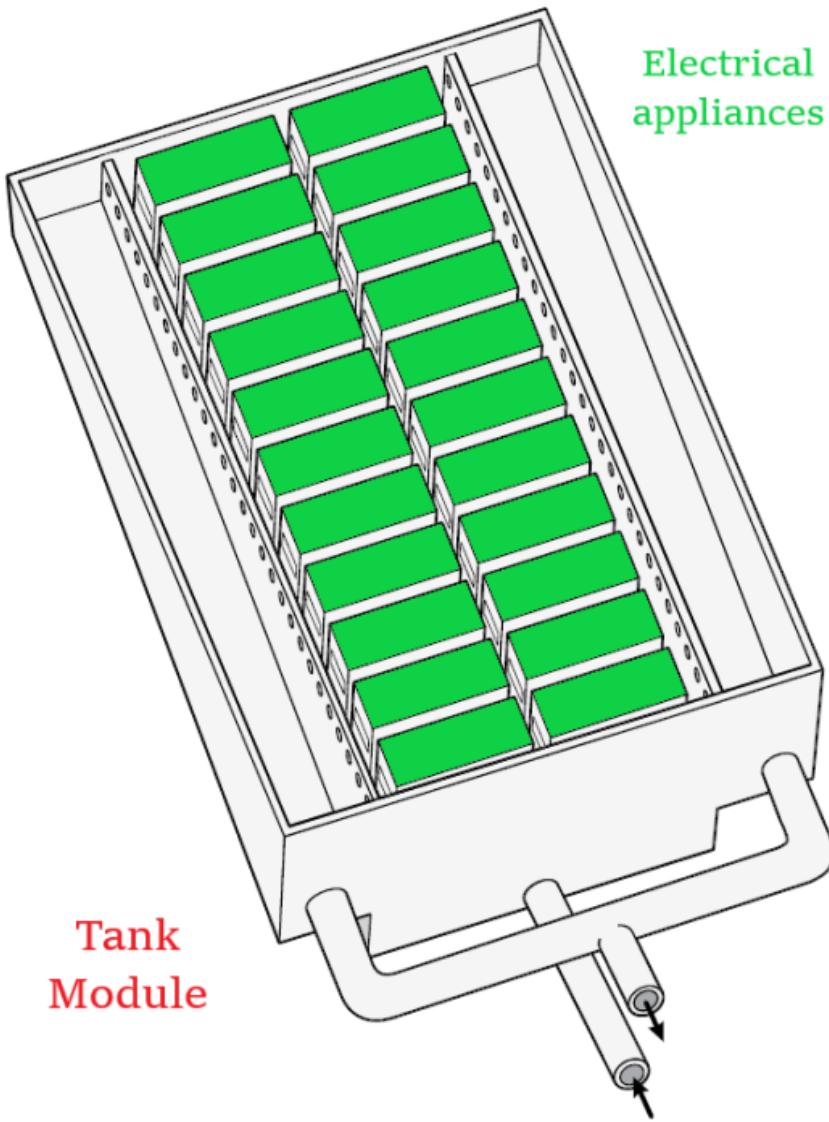


d. a control facility adapted to coordinate the operation of the primary and secondary fluid circulation facilities as a function of the temperature of the dielectric fluid in the tank.	<p>The Accused Instrumentalities include a control facility adapted to coordinate the operation of the primary and secondary fluid circulation facilities as a function of the temperature of the dielectric fluid in the tank.</p> <p>Specifically, the control facility includes an automated controller with software that monitors and controls the pumps, dry coolers, and temperature of the dielectric fluid in the tanks through the use of sensors. <i>See, e.g.</i>, Amendment No. 6 to Form S-1 at 88, Rhodium Enterprises, Inc. (filed Jan. 18, 2022), available at https://www.sec.gov/Archives/edgar/data/0001874985/000121390022002442/fs12022a6_rho-dium.htm (“We have specifically designed mobile and web applications to meet the demands of an industrial-scale liquid-cooled mining operation. Through a series of microsensors, machine-learning and application programming interfaces, our proprietary mining software provides real-time data that enable increased miner up-time, hash rate and scalability. In tandem to developing our own software, we employ sensors not only telling us the temperature of each miner in real-time through visual heat maps, but we have also installed microsensors throughout our liquid-cooling plumbing system that measure flow rate, temperature and pressure. Using machine learning technology and the data points collected by these sensors, robotic process automation (RPA) triggers a tuning response to the power intake as needed to either remediate or optimize miner performance.”); see also “Learn More About Rhodium,” Rhodium Enterprises (last accessed Apr. 6, 2022), available at rhdm.com/#section1 (“Our platform includes our flagship liquid-cooling system and efficiency optimization software. . . . Our proprietary software was designed to optimize performance of our miners and infrastructure in real-time allowing us to make quicker, data-informed decisions, securely put miners online, and more effectively manage temperature, energy, and people.”).</p>
2. The system of claim 1 wherein the tank and primary circulation facility comprise a tightly co-located module.	The tank and primary circulation facility of the Accused Instrumentalities of claim 1 comprise a tightly co-located module. Specifically, the tank and primary circulation facility of the Accused Instrumentalities are adjacent and close in location.
5. The system of claim 1 wherein the control facility further comprises a communication facility	The Accused Instrumentalities of claim 1 include a control facility that includes a communication facility adapted to facilitate monitoring and control of the control facility from a remote location. Specifically, the communication facility includes mobile and web applications, and related software and/or hardware, that facilitate monitoring and controlling microsensors. <i>See, e.g.</i> , Amendment No. 6 to Form S-1 at 88, Rhodium Enterprises, Inc. (filed Jan. 18, 2022),

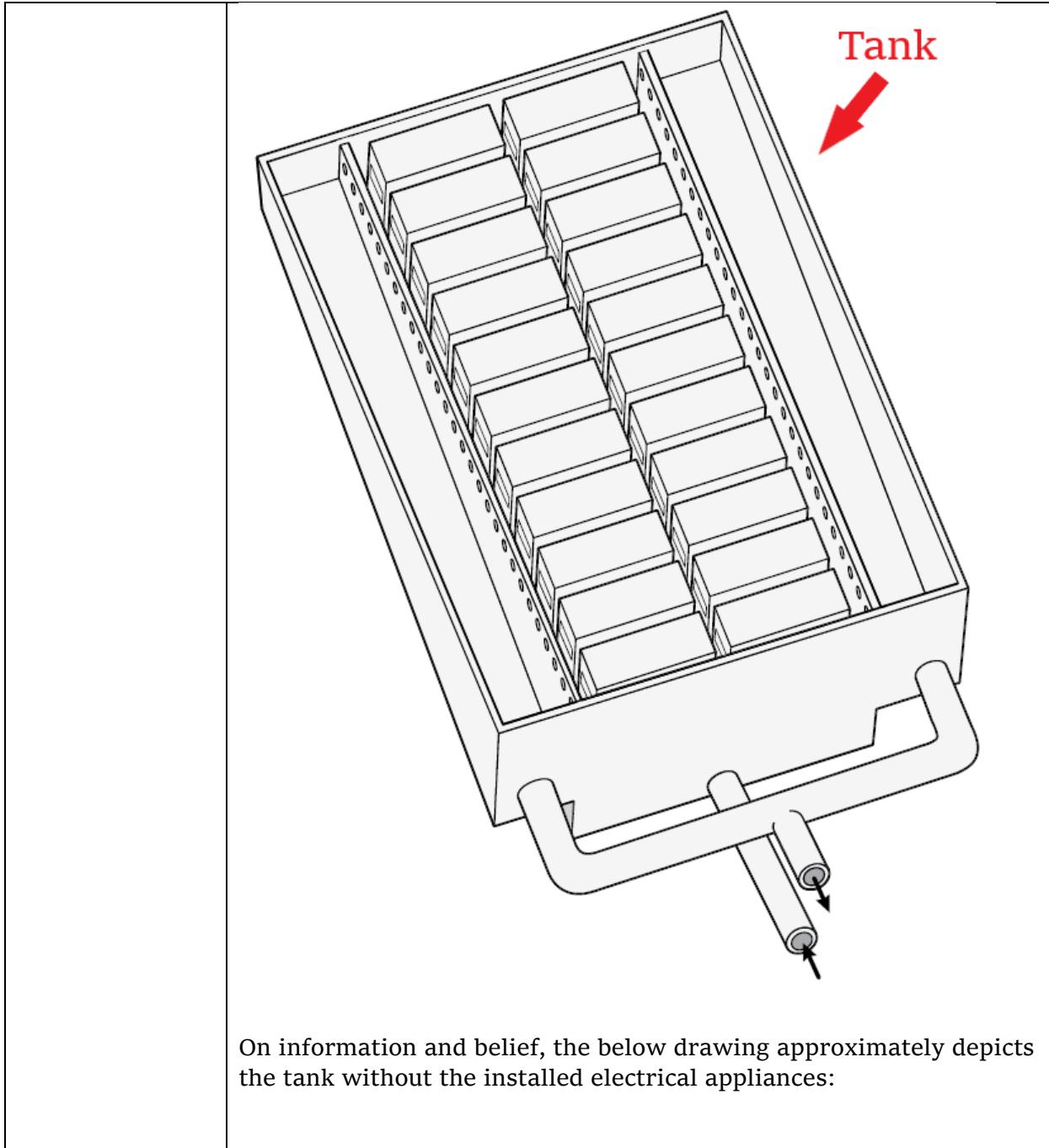
<p>adapted to facilitate monitoring and control of the control facility from a remote location.</p>	<p><i>available at </i><i>(“We have specifically designed mobile and web applications to meet the demands of an industrial-scale liquid-cooled mining operation. Through a series of microsensors, machine-learning and application programming interfaces, our proprietary mining software provides real-time data that enable increased miner up-time, hash rate and scalability. In tandem to developing our own software, we employ sensors not only telling us the temperature of each miner in real-time through visual heat maps, but we have also installed microsensors throughout our liquid-cooling plumbing system that measure flow rate, temperature and pressure. Using machine learning technology and the data points collected by these sensors, robotic process automation (RPA) triggers a tuning response to the power intake as needed to either remediate or optimize miner performance.”); see also “Learn More About Rhodium,” Rhodium Enterprises (last accessed Apr. 6, 2022), available at rhdm.com/#section1 (“Our platform includes our flagship liquid-cooling system and efficiency optimization software. . . . Our proprietary software was designed to optimize performance of our miners and infrastructure in real-time allowing us to make quicker, data-informed decisions, securely put miners online, and more effectively manage temperature, energy, and people.”). On information and belief, the mobile and web applications can be accessed from a remote location.</i></p>
<p>6. A tank module adapted for use in an appliance cooling system, the tank module comprising:</p>	<p>To the extent that the preamble may be limiting:</p> <p>Defendants Rhodium Technologies LLC and Rhodium Enterprises, Inc. and their subsidiaries (together “Rhodium”), as well as the Individual Defendants, make, own, develop, acquire, operate and use tank modules adapted for use in appliance cooling systems by way of liquid cooling systems for mining cryptocurrency (the Accused Instrumentalities). See Amendment No. 6 to Form S-1 at 1, Rhodium Enterprises, Inc. (filed Jan. 18, 2022), available at <i>https://www.sec.gov/Archives/edgar/data/0001874985/000121390022002442/fs12022a6_rho-dium.htm</i> (“Our fully integrated infrastructure platform includes our flagship liquid-cooling system”).</p> <p>Rhodium is “an industrial-scale digital asset technology company” that mines bitcoin with a “fully integrated infrastructure platform” that includes “directly owning and operating [its] own customized mining sites.” Amendment No. 4 to Form S-1 at 1, Rhodium Enterprises, Inc. (filed Dec. 14, 2021), available at <i>https://sec.report/Document/0001213900-21-065116/fs12021a4_rho-dium.htm</i>. “The cornerstone of [Rhodium’s] infrastructure platform is [its] liquid-cooling technology” which is “uniquely designed” to “maintain low oper-</p>

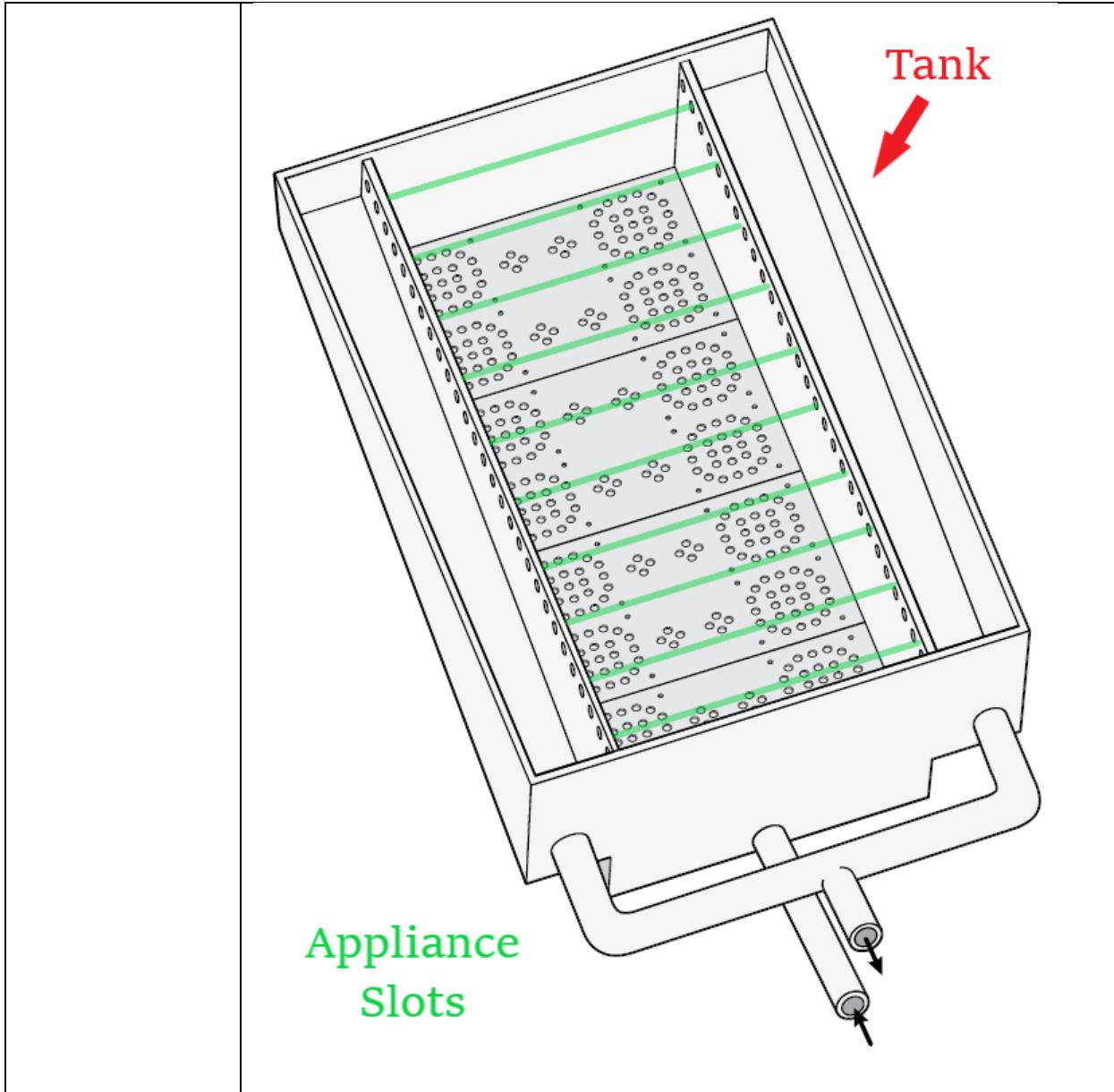
ating costs and manage energy consumption.” *Id.* Rhodium “design[s], build[s], operat[es], and maintain[s]” tank modules adapted for use in a liquid appliance cooling system. *Id.* (“Our technology allows us to submerge our bitcoin miners in the fluid”); *see also id.* at 58 (“We own specialized computers (‘miners’”); “Miners are comprised of sensitive electrical equipment”).

On information and belief, the below drawing approximately depicts the tank module of Accused Instrumentalities, i.e. the tank module, which is adapted for use in an appliance cooling system (the tank module also includes the control facility, which is not depicted below):



<p>a. A tank adapted to immerse in a dielectric fluid a plurality of electrical appliances, each in a respective appliance slot distributed vertically along, and extending transverse to, a long wall of the tank, the tank comprising:</p>	<p>The Accused Instrumentalities include a tank adapted to immerse in a dielectric fluid a plurality of electrical appliances, each in a respective appliance slot distributed vertically along, and extending transverse to, a long wall of the tank.</p> <p>Specifically, the tank holds dielectric fluid in which Rhodium's mining computers, i.e. electrical appliances, are submerged. See SEC Form 1 at 78 ("Liquid-cooling technology, on the other hand, reduces these issues by submerging miners in a dielectric, oil-based fluid that creates an environment more conducive to efficient heat extraction and transfer."); <i>id.</i> at 1 ("Our technology allows us to submerge our bitcoin miners in the fluid").</p> <p>On information and belief, the below drawing approximately depicts Defendants' tank (with electrical appliances installed) :</p>
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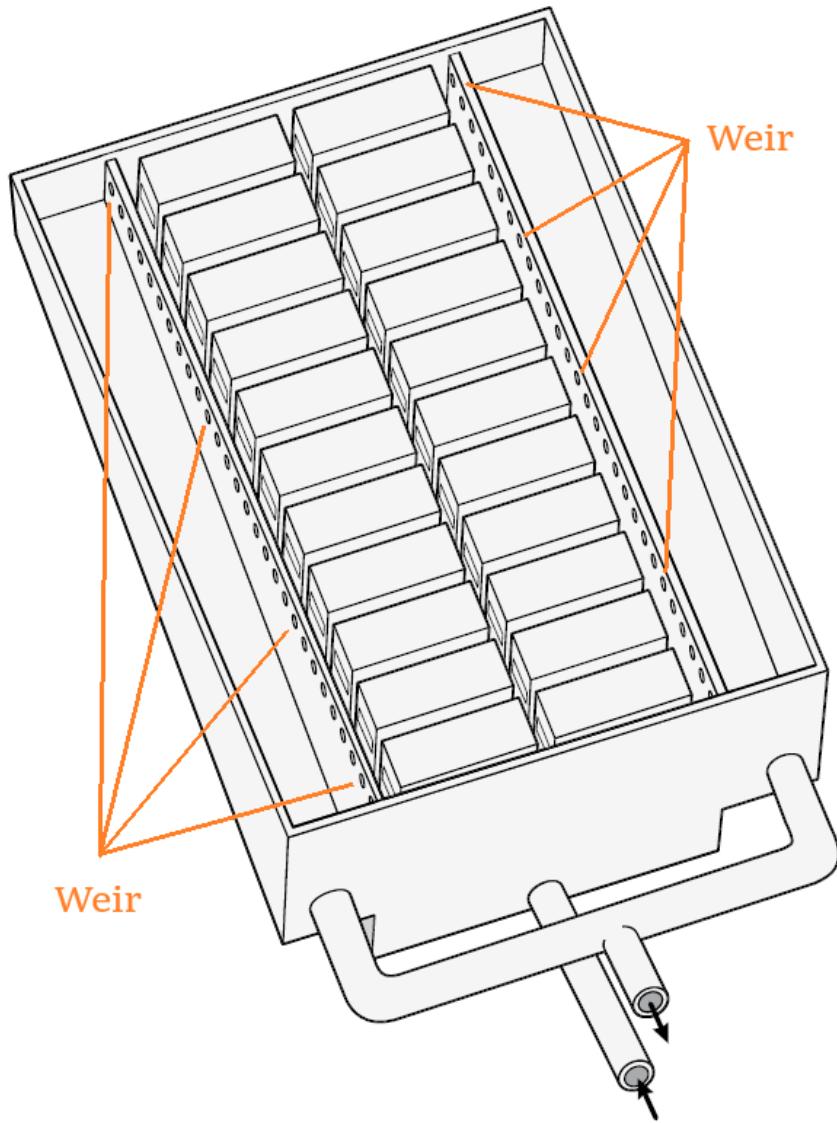




	<p>On information and belief, in use, the tank is filled with dielectric fluid, and a plurality of electrical appliances (i.e. bitcoin mining computers, the tops of which are depicted in green) are placed in respective appliance slots distributed vertically along, and extending transverse to, a long wall of the tank, as shown in approximation below:</p> <p style="color: green; transform: rotate(-90deg);">Electrical appliances in appliance slots</p> <p style="color: pink;">Long walls of the tank</p>
i. A weir, integrated horizontally into the long wall of the tank adjacent all appliance slots,	The tank of the Accused Instrumentalities includes a weir, integrated horizontally into the long wall of the tank adjacent all appliance slots, adapted to facilitate substantially uniform recovery of the dielectric fluid flowing through each appliance slot. Specifically, the tank includes circular holes that comprise a weir. There are weirs on both sides of the tank.

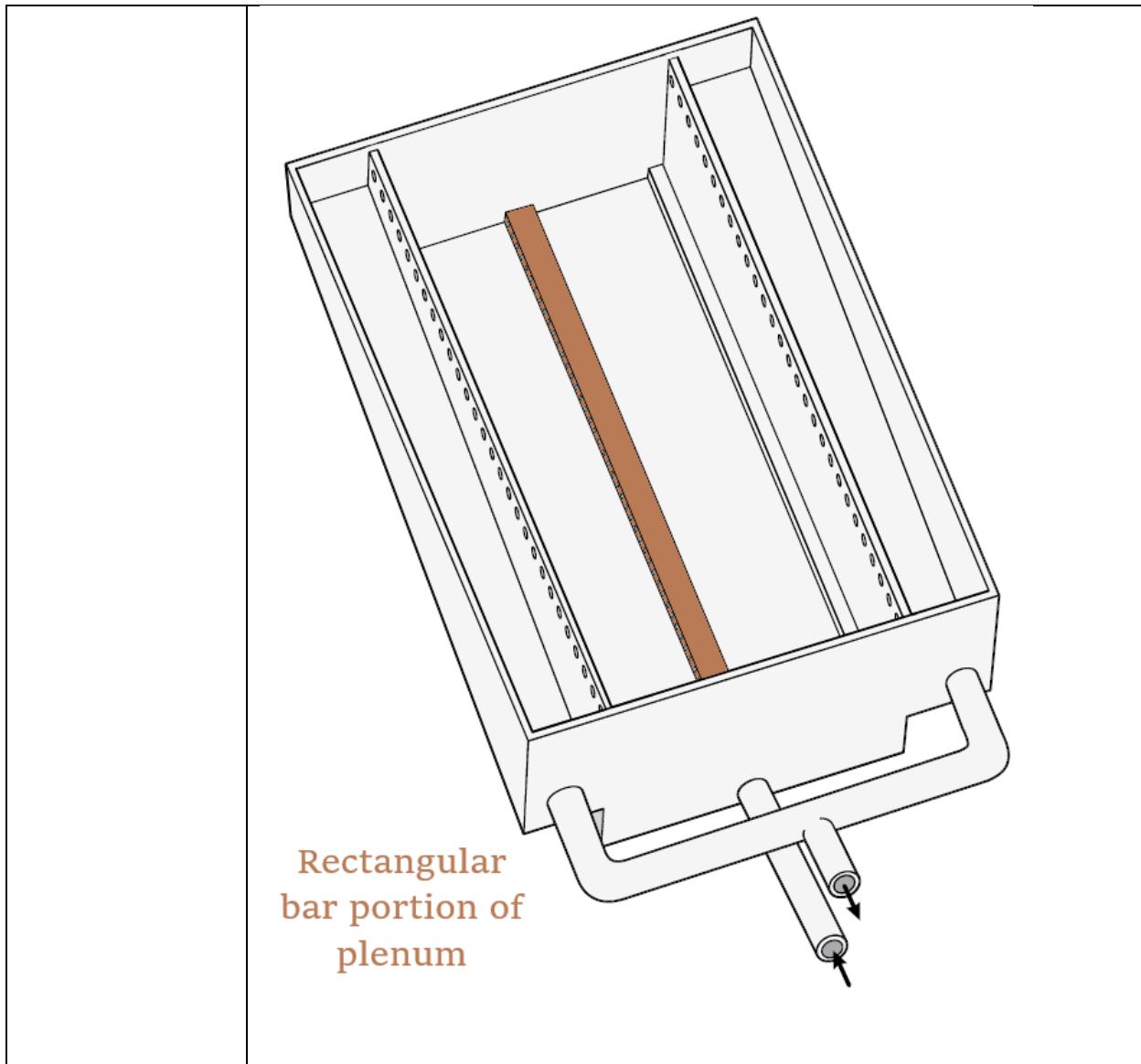
adapted to facilitate substantially uniform recovery of the dielectric fluid flowing through each appliance slot; and;

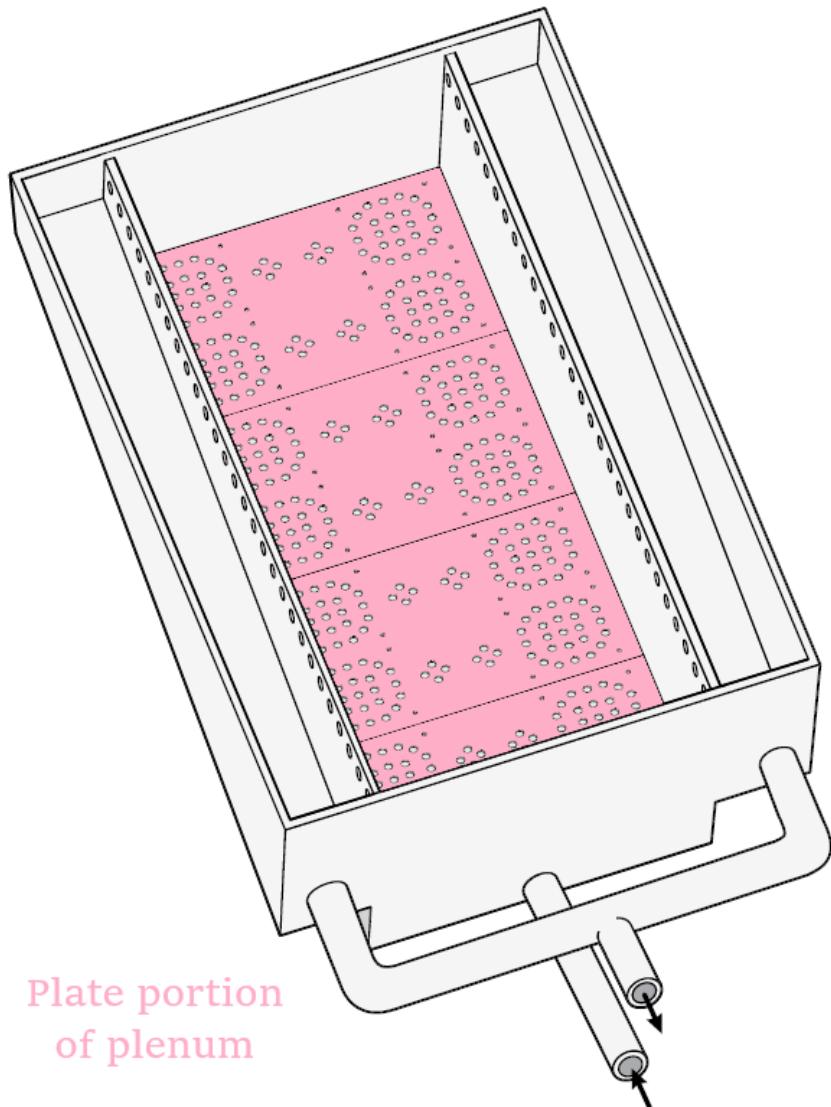
On information and belief, the below drawing approximately depicts the two weirs of the Accused Instrumentalities:



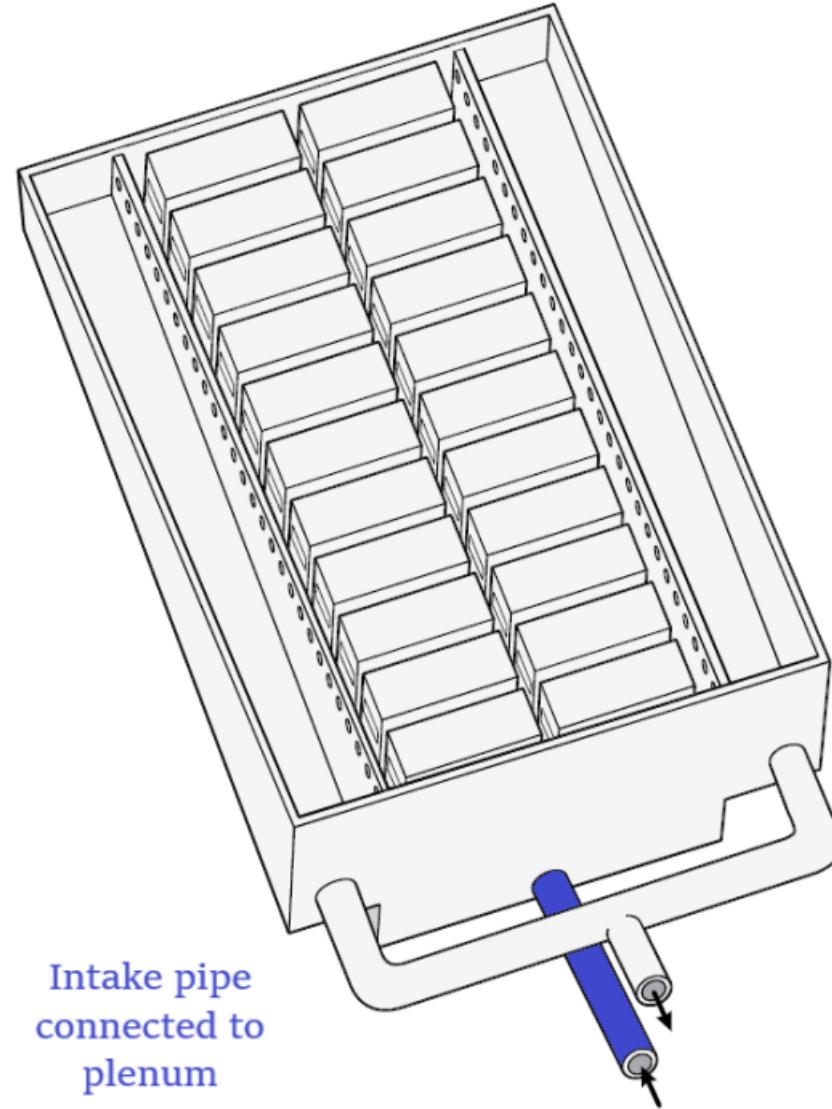
	<p>The weir is integrated horizontally into the long wall of the tank adjacent to the appliance slots and the weir is adapted to facilitate substantially uniform recovery of the dielectric fluid flowing through each appliance slot.</p>
b. A primary circulation facility adapted to circulate the dielectric fluid through the tank (as detailed below).	The Accused Instrumentalities include a primary circulation facility adapted to circulate the dielectric fluid through the tank (as detailed below).

tank, comprising:	
i. A plenum positioned adjacent the bottom of the tank, adapted to dispense the dielectric fluid substantially uniformly upwardly through each appliance slot; and	<p>The Accused Instrumentalities include a plenum positioned adjacent the bottom of the tank, adapted to dispense the dielectric fluid substantially uniformly upwardly through each appliance slot.</p> <p>Specifically, the plenum of the Accused Instrumentalities includes two components: (1) a rectangular bar or pipe that is adjacent to the bottom of the tank with circular holes in either sides that are adapted to dispense fluid substantially uniformly upwardly through each appliance slot; and (2) plates with a certain pattern of circular holes, where the plates are placed above the top of the rectangular bar or pipe and extending horizontally across the bottom of the entire tank, also adjacent to the bottom of the tank. The plates with their patterns of circular holes are adapted to dispense fluid substantially uniformly upwardly through each appliance slot. The dielectric fluid flows out of the holes of the first component then through the holes of the second component and up through each appliance slot substantially uniformly.</p> <p>On information and belief, the below drawings approximately depict each component of the plenum.</p>





The below drawing depicts the dielectric fluid inlet pipe connected to the plenum, below the outtake pipe that is connected to the dielectric fluid recovery reservoirs:

	 <p>Intake pipe connected to plenum</p>
c. A control facility adapted to control the operation of the primary fluid circulation facility as a function of the temperature of the dielectric fluid in the tank.	<p>On information and belief, in operation, the Accused Instrumentalities' tank module includes a control facility adapted to control the operation of the primary fluid circulation facility as a function of the temperature of the dielectric fluid in the tank.</p> <p>Specifically, the control facility includes an automated controller with software that monitors and controls the pumps, dry coolers, and temperature of the dielectric fluid in the tanks through the use of sensors. See, e.g., Amendment No. 4 to Form S-1 at 74, Rhodium Enterprises, Inc. (filed Dec. 14, 2021), available at https://sec.report/Document/0001213900-21-065116/fs12021a4_rhodium.htm (“Additionally, we have developed and maintained proprietary software to optimize performance of our miners and infrastructure in real-time . . . Specifically, our software allows us to make quicker, and data-informed, decisions, securely and rapidly put miners online</p>

	and more effectively manage temperature and energy.”); <i>id.</i> at 79 (“In tandem to developing our own software, we employ sensors not only telling us the temperature of each miner in real-time through visual heat maps, but we have also installed microsensors throughout our liquid-cooling plumbing system that measure flow rate, temperature and pressure. Using machine learning technology and the data points collected by these sensors, robotic process automation (RPA) triggers a tuning response to the power intake as needed to either remediate or optimize miner performance.”).
7. The module of claim 6 wherein the tank and primary circulation facility comprise a tightly co-located module.	The Accused Instrumentalities of claim 6 include a tank and primary circulation facility that are a tightly co-located module. Specifically, the tank and primary circulation facility of the Accused Instrumentalities are adjacent and close in location.
10. The module of claim 6 wherein the control facility further comprises a communication facility adapted to facilitate monitoring and control of the control facility from a remote location.	The Accused Instrumentalities of claim 6 include a control facility that comprises a communication facility adapted to facilitate monitoring and control of the control facility from a remote location. Specifically, the communication facility includes mobile and web applications, and related software and/or hardware, that facilitate monitoring and controlling microsensors. <i>See, e.g.,</i> Amendment No. 6 to Form S-1 at 88, Rhodium Enterprises, Inc. (filed Jan. 18, 2022), available at https://www.sec.gov/Archives/edgar/data/0001874985/000121390022002442/fs12022a6_rho-dium.htm (“We have specifically designed mobile and web applications to meet the demands of an industrial-scale liquid-cooled mining operation. Through a series of microsensors, machine-learning and application programming interfaces, our proprietary mining software provides real-time data that enable increased miner up-time, hash rate and scalability. In tandem to developing our own software, we employ sensors not only telling us the temperature of each miner in real-time through visual heat maps, but we have also installed microsensors throughout our liquid-cooling plumbing system that measure flow rate, temperature and pressure. Using machine learning technology and the data points collected by these sensors, robotic process automation (RPA) triggers a tuning response to the power intake as needed to either remediate or optimize miner performance.”); <i>see also</i> “Learn More About Rhodium,” Rhodium Enterprises (last accessed Apr. 6, 2022), available at rhdm.com/#section1 (“Our platform includes our flagship liquid-cooling system and efficiency optimization software. . . . Our proprietary software was designed to optimize performance of our miners and infrastructure in real-time allowing us to make quicker, data-informed decisions,

	securely put miners online, and more effectively manage temperature, energy, and people.”). On information and belief, the mobile and web applications can be accessed from a remote location.
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